

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

Tuesday, January 7, 2020

Hearing Room 1675

10:30 AM

2:19-22112 Gene Anton Johnson

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(ESA Management LLC VS Debtor)

Docket 15

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 paragraphs 7 and 8 for lack of legal and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009).

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):

Gene Anton Johnson

Pro Se

Trustee(s):

John P Pringle (TR)

Pro Se

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

Tuesday, January 7, 2020

Hearing Room 1675

10:30 AM

2:19-22752 Christine Nicole Alcalá-Snee

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Bank of the West 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):

Christine Nicole Alcalá-Snee	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, January 7, 2020

Hearing Room 1675

10:30 AM

2:19-23548 Tarel Deshun Meeks

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(Daimler Trust 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):

Tarel Deshun Meeks

Represented By
Scott Kosner

Movant(s):

Daimler Trust

Represented By
Jennifer H Wang

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 7, 2020

Hearing Room 1675

11:00 AM

2:18-22570 Ashley Latimer

Chapter 7

#4.00 Cont'd hearing re: Motion for order authorizing substantive consolidation of the debtors' estates
fr. 12/3/19, 12/10/19

Docket 42

Tentative Ruling:

Updated tentative ruling as of 1/6/20. No tentative ruling on the merits. Appearances are required on 1/7/20, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures.

Prior tentative ruling as of 12/9/19. Based on the court's order for reargument of the motion, the court will hear further argument from the parties on the standing of the objecting party and the implications of substantive consolidation in these cases. Appearances are required on 12/10/19, but counsel may appear by telephone.

Prior tentative ruling. Overrule opposition of Robert Whitney Latimer, II, to trustee's motion for substantive consolidation on grounds that he lacks standing to object as despite his contention that he is a creditor, he has not filed any claim, nor is he listed as a creditor in either bankruptcy case on the petitions and schedules of debtors. Matter of Fondiller, 707 F.2d 441, 443 (9th Cir. 1983). His status as a defendant in an adversary proceeding is not enough to confer standing to object. *Id.*

Grant motion of trustee for substantive consolidation for the reasons stated in the moving and reply papers, specifically, on grounds that a majority of the debts in both cases are community debts for which debtors are jointly liable, indicating that debtors were treated as a single economic unit and did not rely upon their separate identity in extending credit and that their affairs were so entangled during their marriage that consolidation would benefit all creditors. In re Bonham, 229 F.3d 750, 766 (9th Cir. 2000).

Appearances are required on 12/3/19, 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 7, 2020

Hearing Room 1675

11:00 AM

CONT... Ashley Latimer

Chapter 7

Party Information

Debtor(s):

Ashley Latimer

Represented By
Lane K Bogard

Trustee(s):

Wesley H Avery (TR)

Represented By
Ryan W Beall
David M Goodrich

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

Tuesday, January 7, 2020

Hearing Room 1675

11:00 AM

2:18-22570 Ashley Latimer

Chapter 7

Adv#: 2:19-01284 Avery v. Latimer, III

#5.00 Cont'd status conference re: Complaint: (1) To Avoid Preferences and Recover Fraudulently Transferred Property 11 U.S.C. §§ 544(b); 550; Federal Debt Collection Procedures Act of 1990 (FDCPA), 28 U.S.C. §§ 3001, et seq; (2) For Avoidance of Transfer Under 11 U.S.C. § 544(a)93); (3) For Recovery of Avoided Transfers Under 11 U.S.C. § 550; and (4) To Preserve Transfer for the Benefit of the Estate Pursuant to 11 U.S.C. § 551
fr. 11/5/19, 12/10/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/6/20. No tentative ruling on the merits. Appearances are required on 1/7/20, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures.

Prior tentative ruling as of 12/9/19. No tentative ruling on the merits. The court will discuss the status of plaintiff filing an amended complaint now that he has filed a motion for substantive consolidation. Appearances are required on 12/10/19, but counsel may appear by telephone..

Prior tentative ruling. The court has reviewed the joint status report. In light of the court's order of 10/24/19 granting defendants' motion to dismiss with leave to amend on certain conditions, the court on its own motion continues the status conference to 12/10/19 at 1:30 p.m. The court waives the requirement of a written joint status report for the status conference on 12/10/19. No appearances are required on 11/5/19.

Party Information

Debtor(s):

Ashley Latimer

Represented By
Lane K Bogard

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

Tuesday, January 7, 2020

Hearing Room 1675

11:00 AM

CONT... Ashley Latimer

Chapter 7

Defendant(s):

Robert Whitney Latimer II

Pro Se

Plaintiff(s):

Wesley H. Avery

Represented By
David M Goodrich

Trustee(s):

Wesley H Avery (TR)

Represented By
Ryan W Beall
David M Goodrich

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

Tuesday, January 7, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01466 Avery v. Gia Phu Fashion Garment Co.

#6.00 Status conference re: Complaint for avoidance, recovery, and preservation of fraudulent and unauthorized postpetition transfers

Docket 1

Tentative Ruling:

Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference after the mediation between plaintiff and principals of debtor and related parties and allowing plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 3/24/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Gia Phu Fashion Garment Co.

Pro Se

Plaintiff(s):

Wesley H. Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, January 7, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

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

Tuesday, January 7, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01467 Avery v. Mercedes-Benz Financial Service USA LLC

#7.00 Status conference re: Complaint for avoidance, recovery, and preservation of preferential and fraudulent transfers

Docket 1

***** VACATED *** REASON: Cont'd from 1/7/20 to 3/3/20 at 1:30 p.m. per sitp & order entered on 12/26/19-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 3/3/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Mercedes-Benz Financial Service

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, January 7, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01468 Avery v. Baldwin Sun Inc.

#8.00 Status conference re: Complaint for avoidance, recovery, and preservation of fraudulent and transfers

Docket 1

***** VACATED *** REASON: Cont'd from 1/7/20 to 3/3/20 at 1:30 p.m. per sitp & order entered on 12/26/19-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 3/3/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Baldwin Sun Inc.

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, January 7, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01469 Avery v. Trinh Vuong Garment Co., Ltd.

#9.00 Status conference re: Complaint for avoidance, recovery, and preservation of preferential and fraudulent transfers

Docket 1

Tentative Ruling:

Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference after the mediation between plaintiff and principals of debtor and related parties and allowing plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 3/24/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Trinh Vuong Garment Co., Ltd.

Pro Se

Plaintiff(s):

Wesley H. Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, January 7, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

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

Tuesday, January 7, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01470 Avery v. JC Rack Systems

#10.00 Status conference re: Complaint for avoidance and recovery of fraudulent transfers

Docket 1

Tentative Ruling:

Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in order for plaintiff to file a request for entry of default against defendant and to file a motion for default judgment. The court on its own motion continues the status conference to 3/3/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

JC Rack Systems

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, January 7, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01471 Avery v. Los Angeles County Tax Collector

#11.00 Status conference re: Complaint for avoidance, recovery, and preservation of fraudulent and unauthorized postpetition transfers

Docket 1

***** VACATED *** REASON: Cont'd from 1/7/20 to 3/10/20 at 1:30 p.m.
per stip & order entered on 12/20/19-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 3/10/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Los Angeles County Tax Collector

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, January 7, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01472 Avery v. Shanghai Medicines and Health Products Import and

#12.00 Status conference re: Complaint for avoidance, recovery, and preservation of preferential and fraudulent transfers

Docket 1

Tentative Ruling:

Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference after the mediation between plaintiff and principals of debtor and related parties and allowing plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 3/24/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Shanghai Medicines and Health

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, January 7, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

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

Tuesday, January 7, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01473 Avery v. Sio, LLC

#13.00 Status conference re: Complaint for avoidance, recovery, and preservation of preferential and fraudulent transfers

Docket 1

***** VACATED *** REASON: Cont'd from 1/7/20 to 3/3/20 at 1:30 p.m. per
sitp & order entered on 12/26/19-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 3/3/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Sio, LLC

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, January 7, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01474 Avery v. Voong

#14.00 Status conference re: Complaint for avoidance, recovery, and preservation of preferential, fraudulent, unauthorized postpetition transfers; and disallowance of claim

Docket 1

***** VACATED *** REASON: Cont'd from 1/7/20 to 2/18/20 at 1:30 p.m.
per stip & order entered on 12/20/19-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 2/18/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Kevin Voong

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, January 7, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01475 Avery v. Van

#15.00 Status conference re: Complaint for avoidance, recovery, and preservation of preferential and fraudulent transfers

Docket 1

Tentative Ruling:

Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference after the mediation between plaintiff and principals of debtor and related parties and allowing plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 3/24/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Trinh Thi Hong Van

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, January 7, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

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

Tuesday, January 7, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01476 Avery v. Chau

#16.00 Status conference re: Complaint for avoidance, recovery, and preservation of preferential, fraudulent, unauthorized postpetition transfers; and disallowance of claim

Docket 1

Tentative Ruling:

Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference after the mediation between plaintiff and principals of debtor and related parties and allowing plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 3/24/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Cong Ty Tnhh Anh Chau

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, January 7, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

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

Tuesday, January 7, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01477 Avery v. Shaoxing LeiLei Import & Export Company

#17.00 Status conference re: Complaint for avoidance, recovery, and preservation of fraudulent, unauthorized postpetition transfers; and disallowance of claim

Docket 1

Tentative Ruling:

Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference after the mediation between plaintiff and principals of debtor and related parties and allowing plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 3/24/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Shaoxing LeiLei Import & Export

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, January 7, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

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

Tuesday, January 7, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01478 Avery v. Shaoxing Tuchang Knitting Textile Co., Ltd.

#18.00 Status conference re: Complaint for avoidance, recovery, and preservation of preferential fraudulent, unauthorized postpetition transfers; and disallowance of claim

Docket 1

Tentative Ruling:

Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference after the mediation between plaintiff and principals of debtor and related parties and allowing plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 3/24/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Shaoxing Tuchang Knitting Textile

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, January 7, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

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

Tuesday, January 7, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01479 Avery v. Trinh

#19.00 Status conference re: Complaint for (1) breach of fiduciary duty; (2) conversion; (3) misappropriation of trade secrets; (4) wrongful disparagement of debtor's assets; (5) avoidance, recovery, and preservation of preferential transfers; (6) avoidance, recovery, and preservation of preferential transfers; (6) avoidance, recovery, and preservation of actual fraudulent transfers; (7) avoidance, recovery, and preservation of constructive fraudulent transfers; (8) unauthorized post-petition transfers; and (9) turnover of property of the estate

Docket 1

***** VACATED *** REASON: Cont'd from 1/7/20 to 3/3/20 at 1:30 p.m. per sitp & order entered on 12/26/19-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 3/3/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Tony Trinh

Represented By
Kathleen P March

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald

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

Tuesday, January 7, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, January 7, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01435 Goodrich v. Amazon Loan Services

#20.00 Cont'd status conference re: Complaint for: 1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; 2) Recovery of property pursuant to 11 U.S.C. § 550; 3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; 4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and 5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 11/6/19

Docket 1

*** VACATED *** REASON: Cont'd from 1/7/20 to 3/3/20 at 1:30 p.m. per stip & order entered on 12/5/19-mb.

Tentative Ruling:

Off calendar. Continued by stipulation and order to 3/3/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Amazon Loan Services

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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

Tuesday, January 7, 2020

Hearing Room 1675

1:30 PM

CONT... SOCALDEAL INC

Chapter 7

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

Tuesday, January 7, 2020

Hearing Room 1675

1:30 PM

2:19-18424 Mark Pereyra Espina

Chapter 7

Adv#: 2:19-01449 First National Bank Of Omaha v. Espina

#21.00 Status conference re: Complaint seeking exception to discharge pursuant to 11 U.S.C. §523 (a)(2)(A)

Docket 1

***** VACATED *** REASON: Judgment entered on 11/20/19-mb.**

Tentative Ruling:

Off calendar. Judgment entered on 11/20/19. No appearances are necessary.

Party Information

Debtor(s):

Mark Pereyra Espina

Represented By
Raymond J Bulaon

Defendant(s):

Mark Pereyra Espina

Pro Se

Plaintiff(s):

First National Bank Of Omaha

Represented By
Cory J Rooney

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 7, 2020

Hearing Room 1675

1:30 PM

2:13-14135 Art and Architecture Books of the 21st Century and 400 S.

Chapter 11

#21.10 Hearing re: Motion of reorganized debtor for order authorizing reorganized debtor to modify terms of post confirmation financing

Docket 2577

Tentative Ruling:

No tentative ruling will be issued on the motion heard on shortened notice.
Appearances are required on 1/7/20, 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
Alan I Nahmias

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

Tuesday, January 7, 2020

Hearing Room 1675

2:30 PM

2:16-13746 Ron Gerard Lohman

Chapter 7

#22.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Carolyn A. Dye, Chapter 7 Trustee]

Docket 48

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 1/7/20, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

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, January 7, 2020

Hearing Room 1675

2:30 PM

2:16-13746 Ron Gerard Lohman

Chapter 7

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

Docket 45

Tentative Ruling:

Approve final fee application of accountant for trustee for reasons stated in the application and for lack of timely written objection. Appearances are optional on 1/7/20, 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):

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, January 7, 2020

Hearing Room 1675

2:30 PM

2:16-25337 Young Bin Lee

Chapter 7

#24.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Carolyn A. Dye, Chapter 7 Trustee]

Docket 62

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 1/7/20, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Young Bin Lee

Represented By
William J Smyth
Andrew Edward 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, January 7, 2020

Hearing Room 1675

2:30 PM

2:16-25337 Young Bin Lee

Chapter 7

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

Docket 59

Tentative Ruling:

Approve final fee application of accountant for trustee for reasons stated in the application and for lack of timely written objection. Appearances are optional on 1/7/20, 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):

Young Bin Lee

Represented By
William J Smyth
Andrew Edward 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, January 7, 2020

Hearing Room 1675

2:30 PM

2:17-18962 Alexander Yulish

Chapter 7

#26.00 Hearing re: Trustee's motion to approve compromise with Alexander Yulish

Docket 127

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 1/7/20, 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
Daniel A Lev

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, January 7, 2020

Hearing Room 1675

2:30 PM

2:17-24369 Marvin Abel Sican Roca and Angelica Maria Rodriguez

Chapter 7

#27.00 Cont'd hearing re: Trustee's final report and account;
Application for fees and expenses
[Wesley H. Avery, Chapter 7 Trustee]
fr. 12/17/19

Docket 69

Tentative Ruling:

No updated tentative ruling as of 1/6/20. Appearances are optional on 1/7/20, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Prior 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 12/17/19, but trustee and counsel may appear by telephone. Trustee to submit a proposed order 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, January 7, 2020

Hearing Room 1675

2:30 PM

2:17-24369 Marvin Abel Sican Roca and Angelica Maria Rodriguez

Chapter 7

#28.00 Cont'd hearing re: Application for fees and expenses
[Zi Chao Lin, Attorney for Chapter 7 Trustee]
fr. 12/17/19

Docket 58

Tentative Ruling:

Updated tentative ruling as of 1/6/20. Approve final fee application of attorney for trustee for reasons stated in the application and for lack of timely written objection. Appearances are optional on 1/7/20, but trustee and applicant may appear by telephone. Trustee or applicant to submit a proposed order within 7 days of hearing.

Prior tentative ruling. The fee application is deficient because detailed billing entries for the fees requested that satisfies the requirements of LBR 2016-1(a)(1)(E) and (c)(2) are not provided in the application. Applicant will need to supplement the application with the billing entries so the court can evaluate the reasonableness of the fees pursuant to 11 U.S.C. 330. Appearances are required on 12/17/19, but counsel may appear by telephone.

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, January 7, 2020

Hearing Room 1675

2:30 PM

2:19-14952 Manhua Hu

Chapter 7

#29.00 Hearing re: Chapter 7 trustee's motion for order disallowing claim no. 3 filed by Su Xiang Zhou

Docket 75

Tentative Ruling:

Grant in part and deny in part trustee's motion for order disallowing claim no. 3 of Su Xiang Zhou and allow priority wage claim in the statutory amount of \$13,650, disallow the priority status of the wage claim in excess of that amount, but allow the remainder of the wage claim as an unsecured general claim for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are required on 1/7/20, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures.

Party Information

Debtor(s):

Manhua Hu

Pro Se

Trustee(s):

Carolyn A Dye (TR)

Represented By
James A Dumas Jr
Christian T Kim

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

Tuesday, January 7, 2020

Hearing Room 1675

2:30 PM

2:19-14952 Manhua Hu

Chapter 7

#30.00 Hearing re: Trustee's motion for order authorizing (i) an interim distribution to creditors with timely filed and allowed claims; and (ii) payment of administrative claims

Docket 87

Tentative Ruling:

Grant trustee's motion for order authorizing an interim distribution to creditors with timely filed and allowed claims and payment of administrative claims for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are required on 1/7/20, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures.

Party Information

Debtor(s):

Manhua Hu

Pro Se

Trustee(s):

Carolyn A Dye (TR)

Represented By
James A Dumas Jr
Christian T Kim

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

Tuesday, January 7, 2020

Hearing Room 1675

2:30 PM

2:19-14952 Manhua Hu

Chapter 7

#31.00 Hearing re: First interim application for fees and reimbursement of costs of Dumas & Kim, APC, counsel for trustee

Docket 80

Tentative Ruling:

The proof of service is deficient because the box indicating service information on the attached page is not checked off to prove service on the listed parties. If this deficiency is corrected, approve interim fee application of attorney for trustee for reasons stated in the application and for lack of timely written objection. Appearances are required on 1/7/20, but trustee and applicant may appear by telephone.

Party Information

Debtor(s):

Manhua Hu

Pro Se

Trustee(s):

Carolyn A Dye (TR)

Represented By
James A Dumas Jr
Christian T Kim

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

Tuesday, January 7, 2020

Hearing Room 1675

2:30 PM

2:19-14952 Manhua Hu

Chapter 7

#32.00 Hearing re: Application for payment of interim fees and/or expenses of LEA Accountancy, LLP (11 U.S.C. §331)

Docket 84

Tentative Ruling:

Approve interim fee application of accountant for trustee for reasons stated in the application and for lack of timely written objection. Appearances are optional on 1/7/20, 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):

Manhua Hu

Pro Se

Trustee(s):

Carolyn A Dye (TR)

Represented By
James A Dumas Jr
Christian T Kim

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

Tuesday, January 7, 2020

Hearing Room 1675

2:30 PM

2:19-14952 Manhua Hu

Chapter 7

#33.00 Hearing re: First interim application of chapter 7 trustee for allowance of statutory fees

Docket 85

Tentative Ruling:

Approve interim fee application of trustee for reasons stated in the application and for lack of timely written objection. Appearances are optional on 1/7/20, but trustee may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Manhua Hu

Pro Se

Trustee(s):

Carolyn A Dye (TR)

Represented By
James A Dumas Jr
Christian T Kim

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

Tuesday, January 7, 2020

Hearing Room 1675

2:30 PM

2:19-20398 DeCor du Soleil, a California corporation

Chapter 7

#34.00 Hearing re: Chapter 7 trustee's motion for order compelling turnover of estate funds

Docket 22

Tentative Ruling:

Updated tentative ruling as of 1/7/20. No tentative ruling in light of late opposition filed by respondent. The court is inclined to continue the hearing to allow trustee adequate time to review the late opposition and file a reply. Appearances are required on 1/7/20, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures.

Prior tentative ruling. Grant trustee's motion for turnover of estate property from Law Offices of Steven L. Sugars for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are required on 1/7/20, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures.

Party Information

Debtor(s):

DeCor du Soleil, a California

Represented By
Michael A Cisneros

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 7, 2020

Hearing Room 1675

2:30 PM

2:19-20943 Arman Dayan

Chapter 7

#35.00 Hearing re: Chapter 7 trustee's motion to dismiss chapter 7 case

Docket 12

Tentative Ruling:

Grant trustee's motion to dismiss case for the reasons stated in the moving papers and for lack of timely written opposition, but without prejudice. Appearances are required on 1/7/20, but counsel may appear by telephone.

Party Information

Debtor(s):

Arman Dayan

Represented By
Aris Artounians

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 7, 2020

Hearing Room 1675

2:30 PM

2:19-20994 Rony Estuardo Molina - Esquivel

Chapter 7

#36.00 Hearing re: Chapter 7 trustee's motion to dismiss chapter 7 case

Docket 18

Tentative Ruling:

Grant trustee's motion to dismiss case for the reasons stated in the moving papers and for lack of timely written opposition, but without prejudice. Appearances are required on 1/7/20, but counsel may appear by telephone.

Party Information

Debtor(s):

Rony Estuardo Molina - Esquivel

Represented By
Stephen L Burton

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, January 8, 2020

Hearing Room 1675

11:00 AM

2:12-15626 Forbco Sizzler Partners, L.P.

Chapter 11

#1.00 Cont'd status conference re: Post confirmation of plan
fr. 3/27/19, 5/29/19, 12/4/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/6/20. No tentative ruling on the merits.
Appearances are required on 1/8/20, but counsel may appear by telephone.

Prior tentative ruling as of 12/2/19. No tentative ruling on the merits.
Appearances are required on 12/4/19, but counsel may appear by telephone.

Prior tentative ruling as of 5/28/19. The court has reviewed debtor's status
report. No tentative ruling on the merits. Appearances are required on
5/29/19, 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, January 8, 2020

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. 1/30/19, 5/29/19, 12/4/19

Docket 140

Tentative Ruling:

Updated tentative ruling as of 1/6/20. No tentative ruling on the merits.
Appearances are required on 1/8/20, but counsel may appear by telephone.

Prior tentative ruling as of 12/2/19. No tentative ruling on the merits.
Appearances are required on 12/4/19, but counsel may appear by telephone.

Prior tentative ruling as of 5/28/19. No tentative ruling on the merits.
Appearances are required on 5/29/19, but counsel may appear by telephone.

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 8, 2020

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. 7/31/19, 8/28/19, 12/11/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/6/20. No tentative ruling on the merits. Appearances are required on 1/8/20, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures.but counsel may appear by telephone.

Revised tentative ruling as of 12/01/19. The court has reviewed debtor's status report, and creditor Acon Development's unilateral status report stating that it intended to file a motion to dismiss. No tentative ruling on the merits. Appearances are required on 12/11/19 to discuss the status of debtor's reorganization efforts and filing of disclosure statement and plan, 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, January 8, 2020

Hearing Room 1675

11:00 AM

2:19-10596 Robert David Katz and Roslyn Soudry Katz

Chapter 11

#4.00 Hearing re: Motion for order approving settlement agreement and mutual release between debtors, on the one hand, and Michael Cassell and Ami Meyers, on the other hand

Docket 260

Tentative Ruling:

Grant motion of debtors in possession for order approving their settlement agreement with creditors Cassell and Meyers for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are optional on 1/8/20, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures.

Party Information

Debtor(s):

Robert David Katz

Represented By
Victor A Sahn
Steven Werth
Cathy Ta

Joint Debtor(s):

Roslyn Soudry Katz

Represented By
Victor A Sahn
Steven Werth
Cathy Ta

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

Wednesday, January 8, 2020

Hearing Room 1675

11:00 AM

2:19-10596 Robert David Katz and Roslyn Soudry Katz

Chapter 11

#5.00 Hearing re: Motion for confirmation of modified second amended chapter 11 plan proposed by debtors

Docket 262

Tentative Ruling:

Grant motion of debtors in possession for confirmation their modified second amended Chapter 11 plan under 11 U.S.C. 1129(a) for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are required on 1/8/20, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures.

Party Information

Debtor(s):

Robert David Katz

Represented By
Victor A Sahn
Steven Werth
Cathy Ta

Joint Debtor(s):

Roslyn Soudry Katz

Represented By
Victor A Sahn
Steven Werth
Cathy Ta

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

Wednesday, January 8, 2020

Hearing Room 1675

11:00 AM

2:19-10596 Robert David Katz and Roslyn Soudry Katz

Chapter 11

#6.00 Hearing re: Motion for non-material modifications of modified second amended chapter 11 plan proposed by debtors

Docket 264

Tentative Ruling:

Grant motion of debtors in possession for order approving nonmaterial modifications of their modified second amended Chapter 11 plan for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are required on 1/8/20, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures.

Party Information

Debtor(s):

Robert David Katz

Represented By
Victor A Sahn
Steven Werth
Cathy Ta

Joint Debtor(s):

Roslyn Soudry Katz

Represented By
Victor A Sahn
Steven Werth
Cathy Ta

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

Wednesday, January 8, 2020

Hearing Room 1675

11:00 AM

2:19-10596 Robert David Katz and Roslyn Soudry Katz

Chapter 11

#7.00 Hearing re: Confirmation of plan
fr. 9/4/19, 10/10/19, 11/21/19

Docket 144

Tentative Ruling:

Updated tentative ruling as of 1/6/20. See tentative ruling on matter number 5.

Prior tentative ruling as of 11/18/19. Approve disclosure statement describing second amended Chapter 11 plan proposed by debtors as containing adequate information for the reasons stated in the moving papers and for lack of timely written opposition, but on condition that disclosure statement and proposed plan be modified that: (1) disclosure statement and proposed plan provide for full payment of priority tax claims of IRS and County of Los Angeles within 5 years of the order for relief (i.e., petition date on 1/21/19) as required by 11 U.S.C. 1129(a)(9)(C) and (D), which require a payoff within 48 months (not 60 months); and (2) a deadline for objection to claims in the disclosure statement and proposed plan should be inserted. It does not appear that adjustments in payments of the priority tax claims would jeopardize feasibility since the tax claims are relatively small. The proposed schedule for plan confirmation proceeding is reasonable. Appearances are required on 11/21/19, but counsel may appear by telephone.

Prior tentative ruling as of 7/1/19. Appearances are required on 7/3/19, but counsel may appear by telephone.

Prior tentative ruling as of 4/16/19. Appearances are required on 4/17/19, but counsel may appear by telephone.

Party Information

Debtor(s):

Robert David Katz

Represented By
Victor A Sahn
Steven Werth

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

Wednesday, January 8, 2020

Hearing Room 1675

11:00 AM

CONT... Robert David Katz and Roslyn Soudry Katz

Chapter 11

Joint Debtor(s):

Roslyn Soudry Katz

Represented By
Victor A Sahn
Steven Werth

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

Wednesday, January 8, 2020

Hearing Room 1675

11:00 AM

2:19-10596 Robert David Katz and Roslyn Soudry Katz

Chapter 11

#8.00 Cont'd status conference re: Management of chapter 11 case
fr. 9/4/19, 10/10/19, 11/21/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/6/20. No tentative ruling on the merits. Appearances are required on 1/8/20, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures.

Prior tentative ruling as of 11/18/19. Appearances are required on 11/21/19, but counsel may appear by telephone.

Prior tentative ruling as of 7/2/19. Appearances are required on 7/3/19, but counsel may appear by telephone.

Prior tentative ruling as of 4/16/19. No tentative ruling on the merits. Appearances are required on 4/17/19, but counsel may appear by telephone.

Prior tentative ruling as of 3/11/19. Appearances are required on 3/13/19, but counsel may appear by telephone.

Party Information

Debtor(s):

Robert David Katz

Represented By
Victor A Sahn

Joint Debtor(s):

Roslyn Soudry Katz

Represented By
Victor A Sahn

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

Wednesday, January 8, 2020

Hearing Room 1675

2:00 PM

2:11-53845 C & M Russell, LLC

Chapter 11

Adv#: 2:19-01205 Evans et al v. Tippie et al

#9.00 Cont'd hearing re: Motion of defendants to compel plaintiff vexatious litigant to post security, and to restrict plaintiff's future filings, pursuant to C.C.P. Section 391 fr. 8/13/19, 9/10/19, 11/5/19

Docket 6

Tentative Ruling:

Updated tentative ruling as of 1/6/20. No tentative ruling on the merits. The court will hear argument from the parties on the motion, 15 minutes per side. Appearances are required on 1/8/20, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures.

Party Information

Debtor(s):

C & M Russell, LLC

Represented By
Alan G Tippie
Elizabeth Jiang

Defendant(s):

Alan G. Tippie

Represented By
David J Richardson

SulmeyerKupetz, APC

Represented By
David J Richardson

Plaintiff(s):

Mattie Belinda Evans

Pro Se

C & M Russell, LLC

Pro Se

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

Wednesday, January 8, 2020

Hearing Room 1675

2:00 PM

2:11-53845 C & M Russell, LLC

Chapter 11

Adv#: 2:19-01205 Evans et al v. Tippie et al

#10.00 Cont'd status conference re: Removal of action to United States Bankruptcy Court
Pursuant to 28 U.S.C. §1452(a)
fr. 8/13/19, 9/10/19, 11/5/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/6/20. No tentative ruling on the merits.
Appearances are required on 1/8/20, but counsel and self-represented parties
may appear by telephone in accordance with the court's telephone
appearance procedures.

Party Information

Debtor(s):

C & M Russell, LLC

Represented By
Alan G Tippie
Elizabeth Jiang

Defendant(s):

Alan G. Tippie

Represented By
David J Richardson

SulmeyerKupetz, APC

Represented By
David J Richardson

Plaintiff(s):

Mattie Belinda Evans

Pro Se

C & M Russell, LLC

Pro Se

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

Friday, January 10, 2020

Hearing Room 1675

10:00 AM

2:19-10596 Robert David Katz and Roslyn Soudry Katz

Chapter 11

#1.10 Cont'd hearing re: Motion for order approving settlement agreement and mutual release between debtors, on the one hand, and Michael Cassell and Ami Meyers, on the other hand
fr. 1/8/20

Docket 260

Tentative Ruling:

Updated tentative ruling as of 1/9/20. No updated tentative ruling in light of pendency of funding of refinancing transaction which is a condition of the settlement. Appearances are required on 1/10/20, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures.

Prior tentative ruling. Grant motion of debtors in possession for order approving their settlement agreement with creditors Cassell and Meyers for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are optional on 1/8/20, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures.

Party Information

Debtor(s):

Robert David Katz

Represented By
Victor A Sahn
Steven Werth
Cathy Ta

Joint Debtor(s):

Roslyn Soudry Katz

Represented By
Victor A Sahn
Steven Werth
Cathy Ta

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

Friday, January 10, 2020

Hearing Room 1675

1:30 PM

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

Chapter 11

#1.00 EVIDENTIARY HEARING RE: Motion for turnover of personal property of the estate to Swing House Rehearsal and Recording, Inc.
fr. 11/20/19

Docket 672

Tentative Ruling:

Updated tentative ruling as of 1/6/20. No tentative ruling will be issued for the evidentiary hearing. Appearances are required on 1/10/20.

Prior tentative ruling. No tentative ruling on the merits as there are factual disputes regarding ownership of the iPhone and the adoption of the company employee handbook, which have bearing on whether former officer's communications on the iPhone and MacBook were privileged. There are conflicts in the testimony of Jaurigui and Winsen and supporting documents as to when the iPhone was purchased (i.e., when and what model), who the buyer was, the officer or the company, and whether the company employee handbook was adopted by the company. These factual disputes will need to be resolved before the court can apply the appropriate law of privilege. Appearances are required on 11/20/19, but counsel may appear by telephone. The parties should be prepared to discuss how the court should resolve these evidentiary conflicts.

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, January 14, 2020

Hearing Room 1675

10:30 AM

2:19-19624 Nana Baidoobonso I AM

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(Global Lending Services LLC VS Debtor)

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.

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.

Appearances are required on 1/14/20, 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):

Nana Baidoobonso I AM	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, January 14, 2020

Hearing Room 1675

11:00 AM

2:19-10246 Dean Henrik Okland

Chapter 7

#2.00 Cont'd hearing re: Motion for relief from stay
(U.S. Bank Trust, N.A. VS Debtor)
fr. 7/16/19, 9/17/19, 10/8/19

Docket 63

Tentative Ruling:

Updated tentative ruling as of 1/13/20. No tentative ruling on the merits.
Appearances are required on 1/14/20, but counsel may appear by telephone.

Prior tentative ruling as of 10/7/19. No tentative ruling on the merits.
Appearances are required on 10/9/19, but counsel may appear by telephone.

Prior tentative ruling as of 9/16/19. Appearances are required on 9/17/19, but
counsel may appear by telephone.

Prior tentative ruling. No tentative ruling in light of the trustee's opposition to
the motion. Appearances are required on 7/16/19 to discuss scheduling of
further proceedings, including setting an evidentiary hearing on valuation, but
counsel may appear by telephone.

Party Information

Debtor(s):

Dean Henrik Okland	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 14, 2020

Hearing Room 1675

11:00 AM

2:19-10246 Dean Henrik Okland

Chapter 7

#3.00 Cont'd hearing re: Motion for relief from stay
(Pacific Western Bank VS Debtor)
fr. 9/17/19, 10/8/19

Docket 84

***** VACATED *** REASON: Notice of voluntary dismissal filed on
1/10/20-mb**

Tentative Ruling:

Updated tentative ruling as of 1/14/20. Off calendar. Notice of voluntary dismissal filed on 1/10/20. No appearances are required on 1/14/20.

Prior tentative ruling as of 10/7/19. No tentative ruling on the merits. Appearances are required on 10/9/19, but counsel may appear by telephone.

Prior tentative ruling. No tentative ruling on the merits in light of the trustee's opposition to the motion. Appearances are required on 9/17/19 to discuss scheduling of further proceedings, including setting an evidentiary hearing on valuation, but counsel may appear by telephone.

Party Information

Debtor(s):

Dean Henrik Okland

Pro Se

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Jeffrey S Shinbrot

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

Tuesday, January 14, 2020

Hearing Room 1675

11:00 AM

2:19-10246 Dean Henrik Okland

Chapter 7

#4.00 Cont'd hearing re: Motion for relief from stay
(JPMorgan Chase Bank, National Association VS Debtor)
fr. 10/22/19

Docket 105

Tentative Ruling:

Updated tentative ruling as of 1/13/20. No tentative ruling on the merits.
Appearances are required on 1/14/20, but counsel may appear by telephone.

Prior tentative ruling as of 10/21/19. Appearances are required on 10/22/19,
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):

Dean Henrik Okland

Pro Se

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Jeffrey S Shinbrot

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1639 Calendar**

Tuesday, January 14, 2020

Hearing Room 1639

11:30 AM

2:19-10119 David Lee

Chapter 11

#5.00 Cont'd hearing re: Motion for relief from stay
(MMRC, LLC VS Debtor)
fr. 8/13/19, 11/12/19, 11/14/19

Docket 127

Tentative Ruling:

Updated tentative ruling as of 1/13/20. The court has granted debtor's motion to approve the settlement between him and movant resolving the dispute between them regarding adequate protection, automatic stay and plan treatment terms. It thus appears that movant's stay relief motion is moot by virtue of the parties' settlement, though the settlement does not refer to the pending stay relief motion. Appearances are optional on 1/14/20, but counsel may appear by telephone. If no appearance is made, the court will assume that the stay relief motion is moot and will deny it as moot without prejudice. If this is incorrect, the parties should appear and inform the court as to how to proceed with the motion.

Prior tentative ruling as of 11/12/19. In their stipulation to continue the hearing on 11/12/19 to 11/14/19, the parties indicated that they have reached a settlement which is being currently documented. The parties should advise the court when they will be able to document their settlement and how the court should proceed on the pending motion in light of the settlement. Appearances are required on 11/14/19, but counsel may appear by telephone.

Prior tentative ruling as of 11/8/19. Off calendar. Continued by stipulation and order to 11/14/19 at 11:30 a.m. No appearances are required on 11/12/19.

Prior tentative ruling as of 11/7/19. The court is inclined to deny the stay relief motion for now because debtor is the indirect beneficial owner of real property as the 100% shareholder of the entity that holds title to the property and that he is seeking to have the entity dissolved and/or have the property transferred by the entity to him. Thus, it appears to the court that the estate has an

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1639 Calendar**

Tuesday, January 14, 2020

Hearing Room 1639

11:30 AM

CONT...

David Lee

Chapter 11

indirect beneficial interest in the property which is property of the estate under the particular circumstances of this case. Debtor is taking steps to realize potential value in the property he indirectly owns to pay off the existing lien to movant and to pay other creditors, and it seems plausible that he could fix and flip the property for a profit to pay creditors. Debtor argues that his burden "is merely show that SOME Plan is not 'patently unconfirmable.'" Further Opposition, ECF 184 at 4; see also, Movant's Supplemental Brief, ECF 172 at 3, citing *In re Sun Valley Newspapers, Inc.*, 171 B.R. 71, 75 (9th Cir. BAP 1994)(cited for the proposition that debtor must make a showing that a proposed or contemplated plan is not patently unconfirmable and has a realistic chance of being confirmed). The court would not put it that way, but rather as the Ninth Circuit stated in *In re Bonner Mall Partnership*, 2 F.3d 899, 902 n. 4 (9th Cir. 1993), "[a] debtor must, however, produce some evidence that its plan could be confirmed by a reasonable bankruptcy judge." Debtor's declaration in opposition indicates some evidence that a fix and flip for the property could be part of a confirmable plan. The court agrees with debtor that movant's claim could be modified despite it being a matured loan and an appropriate cramdown rate of interest can be proposed in a plan and that adequate protection is not necessary where the creditor is undersecured based on the "as is" valuation of the property. The court notes that debtor in his further opposition to reply, ECF 193, stated that he was going to refinance the loan to pay off movant in full, but provided no specific details, and that previously debtor stated that he was obtaining construction financing in his original opposition, ECF 141. The court was contemplating denying the motion without prejudice and allow 3 months for debtor to formulate a course of action for fixing and flipping the property or for obtaining a refinancing loan. The issue of the effectiveness of the transfer of the property to debtor from the entity or the dissolution of the entity is material as to whether or not there can be a refinancing loan or a construction loan. Given that 3 months from now will be the one year anniversary of the case, that should be enough time to know whether there will be a viable project for the property or not, that is, whether a plan could be confirmed by a reasonable bankruptcy judge as to the property. Appearances are required on 11/12/19, but counsel may appear by telephone.

Prior tentative ruling. Sustain debtor's objection to appraisal report of movant's appraiser, Eric Burroughs, for the reasons stated in the objection

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1639 Calendar**

Tuesday, January 14, 2020

Hearing Room 1639

11:30 AM

CONT...

David Lee

Chapter 11

and for lack of compliance with 28 U.S.C. 1746(2) and Local Bankruptcy Rule 5005-4 and Court Manual Section 3.4(b) because signature is not under declaration of penalty of perjury and does not conform to requirements of handwritten signature of the non-CM/ECF user witness. Because the appraisal report is not admissible, deny motion for stay relief without prejudice for lack of competent, admissible evidence of valuation to meet movant's burden of proving the lack of equity under 11 U.S.C. 362(d)(1) and (2) and (g) (1). In the reply, movant raises a new argument that the subject property is not property of the estate, which is in violation of Local Bankruptcy Rule 9013-1(g)(4) that "[n]ew arguments or matters raised for the first time in reply documents will not be considered." Movant may reassert this new argument in a new motion since denial of the motion will be without prejudice. Appearances are required on 8/13/19, but counsel may appear by telephone.

Party Information

Debtor(s):

David Lee

Represented By
David A Tilem

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

Tuesday, January 14, 2020

Hearing Room 1675

11:30 AM

2:19-10119 David Lee

Chapter 11

#6.00 Cont'd hearing re: Motion for relief from stay
(Rehabbers Financial, Inc. dba Aztec Financial VS Debtor)
fr. 9/10/19, 10/15/19, 11/19/19

Docket 161

Tentative Ruling:

Updated tentative ruling as of 1/13/20. The court has reviewed debtor's unilateral status report. No tentative ruling on the merits. Appearances are required on 1/14/20, but counsel may appear by telephone.

Prior tentative ruling as of 11/18/19. Based on this record, it appears that valuation of the subject property is not in dispute since the "as is" values appear to be comparable and there is no equity at this time, though debtor contends that the property as developed (i.e., "as completed") would be worth much more and would provide value to the estate if he develops the property. While the lack of equity is shown under 11 U.S.C. 362(d)(2), the remaining issue is whether that the property is necessary for debtor's reorganization, or there is some evidence that his plan of reorganization could be confirmed by a reasonable bankruptcy judge. In re Bonner Mall Partnership, 2 F.3d 899, 902 n. 4 (9th Cir. 1993). Debtor as the party opposing stay relief has the burden on this issue under 11 U.S.C. 362(g)(2), and debtor's unrebutted evidentiary showing in his and the Martinez and Wiltchik declarations that he could develop the property to generate value for the estate could be part of a plan of reorganization that could be confirmed by a reasonable bankruptcy judge. At this point, there is no evidence that the property is declining in value or that an equity cushion is eroding to warrant adequate protection under 11 U.S.C. 362(d)(1). The court is inclined to deny the stay relief motion without prejudice, and allow debtor for the time being a reasonable time to propose a plan which includes development of this property, although the court notes that this case is almost a year old and debtor will need to propose a plan within a reasonable time. Appearances are required on 11/19/19, but counsel may appear by telephone.

Prior tentative ruling as of 10/11/19. 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 14, 2020

Hearing Room 1675

11:30 AM

CONT... David Lee

Chapter 11

Appearances are required on 10/15/19 to discuss scheduling of further proceedings, including an evidentiary hearing. Appearances are required on 10/15/19, but counsel may appear by telephone.

Prior tentative ruling. The court was inclined to allow a short continuance of the hearing to allow debtor to obtain a valuation opinion in response to the valuation opinion submitted on behalf of movant. Debtor to provide a reasonable estimate when the appraisal can be obtained, so that the court can set an evidentiary hearing on valuation and cause for stay relief, including lack of adequate protection. Appearances are required on 9/10/19, but counsel may appear by telephone.

Party Information

Debtor(s):

David Lee

Represented By
David A Tilem

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

Tuesday, January 14, 2020

Hearing Room 1675

1:30 PM

2:16-24760 Philip Joseph Jaurigui

Chapter 7

Adv#: 2:18-01351 Mover v. Jaurigui

#7.00 Cont'd status conference re: Complaint for nondischargeability under 11 U.S.C. §§523(a)(2)(A), 523(a)(2)(B), 523(a)(6); and objection to discharge under §§727(a)(2), 727(a)(4)
fr. 6/11/19, 6/25/19, 9/17/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/13/20. The court has reviewed the joint status report. Appearances are required on 1/14/20 to discuss scheduling of pretrial conference and coordination of trial with related adversary proceeding, but counsel may appear by telephone.

Prior tentative ruling as of 9/16/19. Because the discovery cutoff date was extended to 12/31/19 and discovery is continuing to that date, the court was inclined to set a post-discovery status conference or a pretrial conference for after the discovery cutoff date. Appearances are required on 9/17/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. Appearances are required on 6/25/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/10/19. No tentative ruling on the merits. Appearances are required on 6/11/19, but counsel may appear by telephone.

Prior tentative ruling. Set a discovery cutoff date of 8/30/19 and a post-discovery status conference on 9/17/19 at 1:30 p.m. A joint status report is due on 9/10/19. Appearances are required on 1/8/19, 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**

Tuesday, January 14, 2020

Hearing Room 1675

1:30 PM

CONT... Philip Joseph Jaurigui

Chapter 7

Debtor(s):

Philip Joseph Jaurigui

Represented By
Leonard Pena

Defendant(s):

Philip Joseph Jaurigui

Pro Se

Plaintiff(s):

Jonathan Mover

Represented By
Steven R Fox

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 14, 2020

Hearing Room 1675

1:30 PM

2:16-24760 Philip Joseph Jaurigui

Chapter 7

Adv#: 2:18-01352 Swing House Rehearsal and Recording, Inc. v. Jaurigui

#8.00 Cont'd status conference re: Complaint by Swing House Rehearsal and Recording, Inc. against Philip Joseph Jaurigui for nondischargeability under 11 U.S.C. §§523(A)(4) and 523(a)(6); and objection to discharge under §727(a)(4) fr.6/11/19, 6/25/19, 9/17/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/13/20. The court has reviewed the joint status report. Appearances are required on 1/14/20 to discuss scheduling of pretrial conference and coordination of trial with related adversary proceeding, but counsel may appear by telephone.

Prior tentative ruling as of 9/16/19. Because the discovery cutoff date was extended to 12/31/19 and discovery is continuing to that date, the court was inclined to set a post-discovery status conference or a pretrial conference for after the discovery cutoff date. Appearances are required on 9/17/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. Appearances are required on 6/25/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/10/19. No tentative ruling on the merits. Appearances are required on 6/11/19, but counsel may appear by telephone.

Prior tentative ruling. Set a discovery cutoff date of 8/30/19 and a post-discovery status conference on 9/17/19 at 1:30 p.m. A joint status report is due on 9/10/19. Appearances are required on 1/8/19, 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**

Tuesday, January 14, 2020

Hearing Room 1675

1:30 PM

CONT... Philip Joseph Jaurigui

Chapter 7

Debtor(s):

Philip Joseph Jaurigui

Represented By
Leonard Pena

Defendant(s):

Philip Joseph Jaurigui

Pro Se

Plaintiff(s):

Swing House Rehearsal and

Represented By
Steven R Fox

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 14, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01249 Goodrich v. Capital One Business Credit Corporation

#9.00 Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542
fr. 10/1/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/13/20. The court has reviewed the joint status report. Apparently, the parties are requesting extension of the discovery cutoff date of 12/31/19, but have not established good cause. Appearances are required on 1/14/20, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report, stating that defendant has not responded to the complaint. Set a discovery cutoff date of 12/31/19, and set a post-discovery status conference for 1/14/20 at 1:30 p.m. with a status report due to be filed on 1/7/20. Appearances are required on 10/1/19, but counsel may appear by telephone.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Capital One Business Credit

Pro Se

Plaintiff(s):

David M Goodrich

Represented By
Faye C Rasch

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

Tuesday, January 14, 2020

Hearing Room 1675

1:30 PM

CONT... SOCALDEAL INC

Chapter 7

Trustee(s):

David M Goodrich (TR)

Represented By

Faye C Rasch

Beth Gaschen

Weiland Golden Goodrich LLP

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

Tuesday, January 14, 2020

Hearing Room 1675

1:30 PM

2:18-21789 Samuel Marquez

Chapter 11

#10.00 Cont'd status conference re: Objection to claim no.1 filed by the Internal Revenue Service
fr. 6/11/19, 7/16/19, 9/17/19

Docket 39

***** VACATED *** REASON: Cont'd from 1/14/20 to 3/25/20 at 11:00 a.m.
per stip & order entered on 1/6/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 1/13/20. Off calendar. Continued by stipulation and order to 3/25/20 at 11:00 a.m. No appearances are required on 1/14/20.

Prior tentative ruling as of 9/16/19. No tentative ruling on the merits. Appearances are required on 9/17/19, but counsel may appear by telephone.

Prior tentative ruling as of 7/15/19. The court has reviewed the joint status report. Appearances are required on 7/16/19, 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**

Tuesday, January 14, 2020

Hearing Room 1675

1:30 PM

2:15-25283 Arturo Gonzalez

Chapter 7

Adv#: 2:19-01483 Gonzalez v. Wesley H. Avery, as the Chapter 7 trustee for the

#11.00 Status conference re: Complaint for damages against trustee; 1. breach of fiduciary duty; 2. unnecessarily selling plaintiff's home, 3. unnecessarily adjudicating plaintiff a bankrupt

Docket 1

***** VACATED *** REASON: Dismissed per order entered on 12/20/19-
mb.**

Tentative Ruling:

Off calendar. Adversary proceeding was dismissed by order entered on 12/20/19. No appearances are required on 1/14/20.

Party Information

Debtor(s):

Arturo Gonzalez	Pro Se
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Defendant(s):

Wesley H. Avery, as the Chapter 7	Pro Se
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Plaintiff(s):

Arturo Gonzalez	Pro Se
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Trustee(s):

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

Tuesday, January 14, 2020

Hearing Room 1675

2:00 PM

2:18-15217 Melody Shabpareh

Chapter 7

Adv#: 2:18-01253 Shabpareh v. NELNET EDUCATION LOAN NETWORK dba NELNET,

#12.00 Cont'd pretrial conference re: Complaint to determine dischargeability of debt pursuant to 11 U.S.C. §523(a)(8) fr. 4/16/19, 10/29/19, 11/5/19

Docket 1

***** VACATED *** REASON: United State Department of Education dismissed per stip & order entered on 9/24/19-mb.**

Tentative Ruling:

Updated tentative ruling as of 1/13/20. No appearances are required on 1/14/20.

Prior tentative ruling as of 4/15/19. The court has reviewed the joint status report. Set a discovery cutoff date of 8/31/19, and a pretrial conference on 10/29/19 at 2:00 p.m. with a filing deadline for a joint pretrial stipulation on 10/22/19. Appearances are required on 4/16/19 to discuss scheduling and plaintiff's request for mediation, but counsel may appear by telephone.

Prior tentative ruling as of 1/28/19. No tentative ruling on the merits. Appearances are required on 1/29/19, but counsel may appear by telephone.

Prior 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

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

Tuesday, January 14, 2020

Hearing Room 1675

2:00 PM

CONT... Melody Shabpareh

Chapter 7

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, January 14, 2020

Hearing Room 1675

2:30 PM

2:15-11554 Velocity Regional Center, LLC

Chapter 7

#13.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Sam S. Leslie, Chapter 7 Trustee]

Docket 131

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 1/14/20, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Velocity Regional Center, LLC

Represented By
Jerome D Stark

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 14, 2020

Hearing Room 1675

2:30 PM

2:15-11554 Velocity Regional Center, LLC

Chapter 7

#14.00 Hearing re: Application for fees and expenses
[CBIZ Valuation Group LLC, Accountant for Chapter 7 Trustee]

Docket 126

Tentative Ruling:

Approve final fee application of accountant for trustee for reasons stated in the application and for lack of timely written objection. Appearances are optional on 1/14/20, 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):

Velocity Regional Center, LLC

Represented By
Jerome D Stark

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 14, 2020

Hearing Room 1675

2:30 PM

2:15-11554 Velocity Regional Center, LLC

Chapter 7

#15.00 Hearing re: Application for fees and expenses
[Levene, Neale Bender, Yoo & Brill, LLP, Accountant for Chapter 7 Trustee]

Docket 127

Tentative Ruling:

Approve final fee application of attorney for trustee for reasons stated in the application and for lack of timely written objection. Appearances are optional on 1/14/20, 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):

Velocity Regional Center, LLC

Represented By
Jerome D Stark

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 14, 2020

Hearing Room 1675

2:30 PM

2:15-16533 Cynthia Miller

Chapter 7

#16.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Elissa Miller, Chapter 7 Trustee]

Docket 62

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 1/14/20, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Cynthia Miller

Represented By
Bahram Madaen
Jeffrey N Wishman

Trustee(s):

Elissa Miller (TR)

Represented By
Jason Balitzer
Steven Werth

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

Tuesday, January 14, 2020

Hearing Room 1675

2:30 PM

2:15-16533 Cynthia Miller

Chapter 7

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

Docket 60

Tentative Ruling:

Approve final fee application of attorney for trustee for reasons stated in the application and for lack of timely written objection. Appearances are optional on 1/14/20, 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):

Cynthia Miller

Represented By
Bahram Madaen
Jeffrey N Wishman

Trustee(s):

Elissa Miller (TR)

Represented By
Jason Balitzer
Steven Werth

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

Tuesday, January 14, 2020

Hearing Room 1675

2:30 PM

2:19-13487 Georgie Charlie Chong Putera

Chapter 7

Adv#: 2:19-01198 Wheel Group Holdings, LLC v. Chong Putera

#18.00 Hearing re: Motion of defendant Georgie Charlie Chong Putera to dismiss second amended complaint pursuant to F.R.C.P. 12(b)(6)

Docket 34

Tentative Ruling:

No tentative ruling as of 1/13/20. Appearances are required on 1/14/20, but counsel may appear by telephone.

Party Information

Debtor(s):

Georgie Charlie Chong Putera

Represented By
Eliza Ghanooni

Defendant(s):

Georgie Charlie Chong Putera

Represented By
Matthew D. Resnik
M. Jonathan Hayes

Plaintiff(s):

Wheel Group Holdings, LLC

Represented By
Leslie R Horowitz
Stephen E Hyam

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 14, 2020

Hearing Room 1675

2:30 PM

2:19-25017 Marisa Gasper

Chapter 7

#19.00 Hearing re: Application to have the Chapter 7 filing fee waived

Docket 6

***** VACATED *** REASON: Granted per order entered on 12/30/19-mb.**

Tentative Ruling:

Off calendar. Application granted by order entered on 12/30/19. No appearances are required on 1/14/20.

Party Information

Debtor(s):

Marisa Gasper

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**

Wednesday, January 15, 2020

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. 1/30/19, 5/29/19, 9/11/19

Docket 203

Tentative Ruling:

Updated tentative ruling as of 1/13/20. No tentative ruling on the merits.
Appearances are required on 1/15/20.

Prior tentative ruling as of 9/9/19. No tentative ruling on the merits.
Appearances are required on 9/11/19.

Prior tentative ruling as of 5/28/19. No tentative ruling on the merits.
Appearances are required on 5/29/19.

Prior tentative ruling as of 1/28/19. No tentative ruling on the merits.
Appearances are required on 1/30/19, 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 10/1/18. 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.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, January 15, 2020

Hearing Room 1675

11:00 AM

CONT... Barbara Jo Baiz Rodriguez

Chapter 11

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 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

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, January 15, 2020

Hearing Room 1675

11:00 AM

CONT... Barbara Jo Baiz Rodriguez
on 6/15/16.

Chapter 11

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 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.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, January 15, 2020

Hearing Room 1675

11:00 AM

CONT... Barbara Jo Baiz Rodriguez

Chapter 11

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, January 15, 2020

Hearing Room 1675

11:00 AM

2:13-28671 Elbiali Ismail Osman

Chapter 11

#2.00 Cont'd status conference re: Post confirmation of plan
fr. RN, 8/16/17, 4/11/18, 1/9/19

Docket 298

Tentative Ruling:

Updated tentative ruling as of 1/14/20. The court has reviewed debtor's postconfirmation status report. No tentative ruling on the merits. Appearances are required on 1/15/20, but counsel may appear by telephone.

Prior tentative ruling as of 1/7/19. No tentative ruling on the merits. Appearances are required on 1/9/19 to report on the status of plan performance, but counsel may appear by telephone.

Prior 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

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

Wednesday, January 15, 2020

Hearing Room 1675

11:00 AM

CONT...

Elbiali Ismail Osman

Raymond H. Aver

Chapter 11

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

Wednesday, January 15, 2020

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#3.00 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. 10/16/19

Docket 744

Tentative Ruling:

Updated tentative ruling as of 1/13/20. No tentative ruling on the merits. Appearances are required on 1/15/20, 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 10/15/19. Appearances are required on 10/16/19, 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):

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, January 15, 2020

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. 8/28/19, 11/6/19, 12/11/19

Docket 1

***** VACATED *** REASON: Cont'd from 1/15/20 to 2/19/20 at 11:00 a.m.
per stip & order entered on 12/10/19-mb.**

Tentative Ruling:

Updated tentative ruling as of 1/13/20. Off calendar. Continued by stipulation and order to 2/19/20 at 11:00 a.m. No appearances are required on 1/15/20.

Prior tentative ruling as of 8/26/19. No tentative ruling on the merits. Appearances are required on 8/28/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. No tentative ruling on the merits. Appearances are required on 6/26/19, 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 15, 2020

Hearing Room 1675

11:00 AM

2:17-17577 Peter G. Kudrave

Chapter 11

#5.00 Cont'd hearing re: Motion to convert chapter 11 case to chapter 7
fr. 12/4/19

Docket 167

Tentative Ruling:

Revised tentative ruling as of 1/14/20. In light of debtor's death, the court considers Federal Rule of Bankruptcy Procedure 1016 on the death or incompetency of a bankruptcy debtor, stating inter alia, that "[i]f a reorganization . . . case is pending under chapter 11 . . . , the case may be dismissed; or if further administration is possible and in the best interests of the parties, the case may proceed and be concluded in the same manner, so far as possible, as through the death or incompetency had not occurred. See Order Continuing Post-Confirmation Status Conference, filed and entered on October 21, 2019 (Docket No. 163); see also, 9 Levin and Sommer, Collier on Bankruptcy, paragraph 1016.03 at 1016-4 - 1016-5 (16th ed. 2019). However, Rule 1016 does not prescribe the mechanics for bringing before the court the question of what to do following the death of the debtor in a Chapter 11 case. In re Eads, 135 B.R. 380, 383 and n. 2 (Bankr. E.D. Cal. 1991). In an adversary proceeding, Federal Rule of Bankruptcy Procedure 7025, which incorporates Federal Rule of Civil Procedure 25 by reference, regarding a motion for substitution applies, but in a bankruptcy case in general, Rule 7025 does not expressly apply, but where there is no applicable Local Bankruptcy Rule, which does not cover this situation, pursuant to Local Bankruptcy Rule 1001-1(e)(1) and (2), the court may look to parallel or analogous rules in the Federal Rules of Bankruptcy or Civil Procedure or proceed in any lawful manner not inconsistent with the Local Bankruptcy Rules or the Federal Rules of Bankruptcy Procedure. Thus, the court could apply Federal Rule of Civil Procedure 25(a) and/or Federal Rule of Bankruptcy Procedure to the extent this would not be inconsistent with Federal Rule of Bankruptcy Procedure 1016 because the confirmed plan is now in default and there is no cure after the death of the debtor. In light of the death of debtor, the court must apply Rule 1016, but the case law is mixed as to whether or not the court could order a conversion of the case after the death of the debtor in a

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11:00 AM

CONT... Peter G. Kudrave

Chapter 11

reorganization case under Chapter 11 or 13 of the Bankruptcy Code. Compare *In re Roberts*, 570 B.R. 532 (Bankr. N.D. Miss. 2017) (Chapter 13 case may be converted after death of debtors and is inconsistent with Rule 1016 stating that a case may be dismissed or further administration (i.e., not conversion) may be allowed) with *In re Spiser*, 232 B.R. 669 (Bankr. N.D. Tex. 1999)(Chapter 13 case may not be converted after death of debtors because this is inconsistent with Rule 1016). Pursuant to Rule 1016, the case may be dismissed or further administration allowed, but if the case is converted to Chapter 7, it is unclear that the case can be administered because it appears that the only asset of value in the bankruptcy and probate estates is the residence that debtor co-owned with his spouse through a revocable living trust, which became an asset of the probate estate pursuant to California Probate Code Section 19001 on debtor's death. Debtor's confirmed reorganization plan provided that all property of the bankruptcy estate vested in the reorganized debtor upon the effective date of the plan. Plan, Docket No. 78, filed on May 1, 2018. The confirmation order provided that if the case is converted to Chapter 7, the property of the reorganized debtor or successor to the estate under the plan that has not been distributed is to be vested in the Chapter 7 bankruptcy estate. Confirmation Order, filed and entered on August 2, 2018 (Docket No. 96). When debtor died, the assets that he owned as the reorganized debtor became part of the probate estate, and the federal courts lack jurisdiction over disposition of property in the custody of the state probate court. Theoretically, perhaps, the court could grant the conversion motion and under the terms of the plan and confirmation order, the property of the bankruptcy estate would revert in the Chapter 7 bankruptcy estate, but this court as a federal court would lack jurisdiction to order any turnover from the state probate court under the probate jurisdiction exception. *Marshall v. Marshall*, 547 U.S. 310, 311-312 (2006). The court is inclined to dismiss the Chapter 11 bankruptcy case pursuant to Rule 1016 because dismissal is expressly provided for under that rule unless further administration is possible and in the best interest of the parties as the case cannot proceed and be concluded in the same manner as far as possible as through the death had not occurred. This is no longer possible because the confirmed plan was dependent on debtor's income earned during the plan term. The only future administration possible is distribution of debtor's assets, including the residence, which is in the custody of the state probate court. The best interest of creditors, such as movant, is served in their filing claims

**United States Bankruptcy Court
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Wednesday, January 15, 2020

Hearing Room 1675

11:00 AM

CONT... Peter G. Kudrave

Chapter 11

in the state probate court and receiving distributions from the probate assets in the state probate proceeding. Appearances are required on 1/15/20, but counsel may appear by telephone.

Prior tentative ruling as of 12/2/19. Treat creditor David Tilem's motion to convert case under 11 U.S.C. 1112(b)(1) as a contested matter under FRBP 9014 in light of the opposition of proposed representative of debtor's probate estate, David Kudrave. However, the probate petition is pending with a hearing to have taken place on the petition on 11/26/19. In determining a motion to convert or dismiss a Chapter 11 bankruptcy case under 11 U.S.C. 1112(b)(1), the court is to engage in a two-step analysis, first, to determine whether cause exists to dismiss or convert, and second, to determine whether dismissal, conversion or appointment of a trustee or examiner is in the best interests of the creditors and the estate, and to identify whether there are unusual circumstances that establish that dismissal or conversion is not in the best interests of creditors and the estate. In re Sullivan, 522 B.R. 604, 612 (9th Cir. BAP 2014). As to step one, showing cause, it appears that cause is shown based on debtor's failure to file post-confirmation status reports as set forth in the order confirming the Chapter 11 plan and on a material default in not escrowing funds to pay creditor's professional fees as provided in the confirmed plan. 11 U.S.C. 1112(b)(4)(E) and 1112(b)(4)(N). Whether or not there are other plan defaults such as making of plan and mortgage payments and payment of United States Trustee fees is disputed by the proposed probate representative. The proposed probate representative does not dispute the defaults, but states that such defaults will be cured when he is substituted in the case for debtor upon a motion to be filed once he receives letters testamentary from the state court supervising the probate case. As to step two, determining whether dismissal, conversion or appointment of a trustee is in the best interests of creditors and the estate and identifying whether unusual circumstances exist not to dismiss or convert the case, the court must consider the best interests of all creditors, and not just the interests of the one creditor, movant. In re Owens, 552 F.3d 958, 960-961 (9th Cir. 2009). As an option, dismissal is not addressed in the moving papers, and if the property of reorganized debtor is subject to probate court jurisdiction, the distribution of such property may be subject to the probate

**United States Bankruptcy Court
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Hearing Room 1675

11:00 AM

CONT...

Peter G. Kudrave

Chapter 11

exception to federal jurisdiction under *Marshall v. Marshall*, 547 U.S. 293 (2006). The creditors and the estate may be better off litigating themselves in state court if the probate exception applies. However, as indicated in the opposition, the major asset of the estate, debtor's residence, "devolved" to debtor's beneficiaries, apparently outside probate, through a trust since the proposed probate representative is also the trustee of debtor's family trust. However, the record is unclear what the status of title of debtor's residence is now, though creditor suggests that there may have been fraudulent transfers. If the property was transferred outside of probate, then the probate exception to federal jurisdiction may not apply. The court is inclined to determine that assuming that either dismissal or conversion is appropriate, there may be unusual circumstances not to warrant dismissal or conversion at this time on grounds that there was reasonable justification for the defaults based on the illness and death of debtor and the defaults will be cured within a reasonable period of time. The proposed probate representative has attested that there are no defaults in the mortgage payments on the residence and the plan payments, which have been made by debtor or by him, and defaults in filing status reports will be cured, and is seeking letters testamentary in order to act on behalf of debtor's probate estate to substitute for debtor to proceed with the confirmed plan and cure any plan defaults within a reasonable time pursuant to 11 U.S.C. 1112(b)(2)(B). Thus, the court would determine based on the death of debtor, the suggestion of death on the record, and the proposed probate representative's representations that he is seeking probate court authority to substitute in the case for debtor within the 90 days from the suggestion of death on the record pursuant to FRCP 25(a)(1) and cure the plan default in order to proceed with the confirmed plan constitutes compelling circumstances to depart from the time limits of 11 U.S.C. 1112(b)(3), and thus, the court would continue the hearing on the motion to convert until after the 90 day deadline for substitution of debtor under FRCP 25(a) has passed. The creditors as a whole may be better off if the proposed probate representative is substituted in and cures the defaults on the plan, and these circumstances are compelling to deviate from the deadlines of 11 U.S.C. 1112(b)(3) to ascertain whether cure by the proposed probate representative within a reasonable period of time is viable. The court contemplates that only a relatively short continuance of the hearing on the

**United States Bankruptcy Court
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11:00 AM

CONT... Peter G. Kudrave

Chapter 11

motion to convert would be needed to ascertain this (roughly 60 days since the 90 day deadline expires on or about 1/7/20). The court notes that both creditor and proposed probate representative have indicated an intention to file a motion to substitute within the 90 day time limit of FRCP 25(a)(1).
Appearances are required on 12/4/19, but counsel may appear by telephone.

Party Information

Debtor(s):

Peter G. Kudrave

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Wednesday, January 15, 2020

Hearing Room 1675

11:00 AM

2:18-13300 The 17/21 Group, LLC

Chapter 11

#6.00 Cont'd status conference re: Confirmation of plan
fr. 5/1/19, 7/31/19, 8/28/19

Docket 72

Tentative Ruling:

Updated tentative ruling as of 1/13/20. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 1/15/20, but counsel may appear by telephone.

Prior tentative ruling as of 8/26/19. No tentative ruling on the merits. Appearances are required on 8/28/19, but counsel may appear by telephone.

Prior tentative ruling as of 7/29/19. Deny confirmation of plan because contrary to debtor's assertion that impaired Class 3 claims (general unsecured claims) voted to "accept" the plan, such assertion is not true because while the numerosity test was met for Class 3 claims in that 83.3% of the number of claims voted to accept the plan which met the more than one-half in number requirement of 11 U.S.C. 1126(c), the dollar amount test was not met in that there was only 57.82% of the dollar amount of Class 3 claims voted to accept the plan while more than two-thirds (66.7%) of the dollar amount is required to accept the plan under 11 U.S.C. 1126(c), thus, there is no impaired class of claims accepting the plan here to allow confirmation under 11 U.S.C. 1129(a)(10). Appearances are required on 7/31/19, but counsel may appear by telephone.

Prior tentative ruling as of 4/30/19. Appearances are required on 5/1/19, but counsel may appear by telephone.

Prior tentative ruling as of 4/16/19. The court has concerns regarding the adequacy of the information in the disclosure statement regarding bargain sales of debtor's accounts receivable and vehicle to its insider. Appearances are required on 4/17/19, but counsel may appear by telephone.

Prior tentative ruling as of 4/9/19. Appearances are required on 4/10/19, but

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Wednesday, January 15, 2020

Hearing Room 1675

11:00 AM

CONT... The 17/21 Group, LLC
counsel may appear by telephone.

Chapter 11

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
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Wednesday, January 15, 2020

Hearing Room 1675

11:30 AM

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

Chapter 11

#7.00 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. 12/5/18, 5/1/19, 9/18/19

Docket 2000

Tentative Ruling:

Updated tentative ruling as of 1/13/20. No tentative ruling on the merits. Appearances are required on 1/15/20, but counsel may appear by telephone.

Prior tentative ruling as of 9/17/19. No tentative ruling on the merits. Appearances are required on 9/18/19, 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 12/10/18. No tentative ruling on the merits. Appearances are required on 12/12/18, 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
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Wednesday, January 15, 2020

Hearing Room 1675

11:30 AM

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

Chapter 11

#8.00 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. 12/12/18, 5/1/19, 9/18/19

Docket 2004

Tentative Ruling:

Updated tentative ruling as of 1/13/20. No tentative ruling on the merits.
Appearances are required on 1/15/20, but counsel may appear by telephone.

Prior tentative ruling as of 9/16/19. No tentative ruling on the merits.
Appearances are required on 9/18/19, 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
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Wednesday, January 15, 2020

Hearing Room 1675

11:30 AM

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

Chapter 11

#9.00 Cont'd status conference re: Post confirmation of plan
fr. 12/12/18, 5/1/19, 9/18/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/13/20. No tentative ruling on the merits.
Appearances are required on 1/15/20, but counsel may appear by telephone.

Prior tentative ruling as of 9/16/19. No tentative ruling on the merits.
Appearances are required on 9/18/19, 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 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

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Wednesday, January 15, 2020

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CONT... **Art and Architecture Books of the 21st Century**
2/15/17, but counsel may appear by telephone.

Chapter 11

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
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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.

#10.00 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. 7/17/19, 10/2/19, 11/21/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/13/20. No tentative ruling on the merits. Appearances are required on 1/15/20, but counsel may appear by telephone.

Prior tentative ruling as of 9/16/19. No tentative ruling on the merits. Appearances are required on 9/18/19, but counsel may appear by telephone.

Prior tentative ruling as of 7/15/19. Off calendar. The court on its own motion continues the status conference to 7/17/19 at 1:30 p.m., which was another date and time set for the status conference for all defendants. No appearances are required on 7/16/19.

Prior tentative ruling as of 5/13/19. Off calendar. Continued by stipulation and order to 5/29/19 at 2:30 p.m. No appearances are required on 5/15/19.

Revised tentative ruling as of 3/11/19. The court is inclined to set a further status conference to allow time for Cathay Bank to provide input on discovery and trial setting, but 60 days rather than 3 to 6 months, and because the case is not yet at issue. The court has considered the requests of various parties for severance of claims for trial, but while the court agrees with plaintiff, it may be early, but given the unwieldy nature of this litigation, some severance of claims probably makes sense. Plaintiff's concerns about efficiency of litigation might be handled by some consolidation of discovery and other pretrial proceedings. Appearances are required on 3/13/19, but counsel

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CONT... Art and Architecture Books of the 21st Century
may appear by telephone.

Chapter 11

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 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	

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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

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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
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11:30 AM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

#11.00 Cont'd hearing re: Motion for entry of an order authorizing sale of substantially all of the debtor's real estate related assets free and clear of all liens, claims, encumbrances and interests and granting related relief
fr. 6/10/19, 8/21/19, 10/22/19

Docket 248

Tentative Ruling:

Updated tentative ruling as of 1/13/20. No tentative ruling on the merits. Appearances are required on 1/15/20, but counsel may appear by telephone.

Updated tentative ruling as of 10/21/19. In the case status report filed on 10/8/19, debtor stated that it intended to request a continuance of the hearing on the sale of the Stockton property for about 60 days. Appearances are required on 10/22/19, but counsel may appear by telephone.

Prior tentative ruling as of 8/19/19. Off calendar. Continued by stipulation and order to 10/22/19 at 2:30 p.m. No appearances are required on 8/21/19.

Prior tentative ruling as of 6/10/19 at 1:25 p.m. Based on telephone request of counsel for debtor to postpone the hearing from 2:00 p.m. to 3:00 p.m. based on representations that the auction proceedings at 10:00 a.m. are protracted, that it may be difficult for the parties appearing at the auction to appear for the hearing at 2:00 p.m. and that all relevant parties consent to this short postponement, the court on its own motion reschedules the hearing from 2:00 p.m. to 3:00 p.m. Appearances are required at 3:00 p.m., not 2:00 p.m., but counsel may appear by telephone.

Prior tentative ruling as of 6/10/19 at 10:45 a.m. Based on telephone request of counsel for debtor to postpone the hearing from 1:00 p.m. to 2:00 p.m. based on representations that the auction proceedings at 10:00 a.m. are protracted, that it may be difficult for the parties appearing at the auction to appear for the hearing at 1:00 p.m. and that all relevant parties consent to this short postponement, the court on its own motion reschedules the hearing from 1:00 p.m. to 2:00 p.m. Appearances are required at 2:00 p.m., not 1:00

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11:30 AM

CONT... Zacky & Sons Poultry, LLC

Chapter 11

p.m., but counsel may appear by telephone.

Prior tentative ruling as of 6/7/19. No tentative ruling on the merits.
Appearances are required on 6/10/19, but counsel may appear by telephone.

Prior tentative ruling as of 5/29/19. No tentative ruling on the merits.
Appearances are required on 5/30/19, but counsel may appear by telephone.

Prior tentative ruling as of 5/13/19. Appearances are required on 5/13/19,
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
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Los Angeles
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Wednesday, January 15, 2020

Hearing Room 1675

11:30 AM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

#12.00 Cont'd status conference re: Management of chapter 11 case
fr. 6/10/19, 8/21/19, 10/22/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/13/20. No tentative ruling on the merits. Appearances are required on 1/15/20, but counsel may appear by telephone.

Prior tentative ruling as of 10/21/19. The court has reviewed the case status report filed on 10/8/19. No tentative ruling on the merits. Appearances are required on 10/22/19, but counsel may appear by telephone.

Prior tentative ruling as of 8/19/19. Off calendar. Continued by stipulation and order to 10/22/19 at 2:30 p.m. No appearances are required on 8/21/19.

Prior tentative ruling as of 6/10/19 at 1:25 p.m. Based on telephone request of counsel for debtor to postpone the status conference from 2:00 p.m. to 3:00 p.m. based on representations that the auction proceedings at 10:00 a.m. are protracted, that it may be difficult for the parties appearing at the auction to appear for the status conference at 2:00 p.m. and that all relevant parties consent to this short postponement, the court on its own motion reschedules the status conference from 2:00 p.m. to 3:00 p.m. Appearances are required at 3:00 p.m., not 2:00 p.m., but counsel may appear by telephone.

Prior tentative ruling as of 6/10/19 at 10:45 a.m. Based on telephone request of counsel for debtor to postpone the status conference from 1:00 p.m. to 2:00 p.m. based on representations that the auction proceedings at 10:00 a.m. are protracted, that it may be difficult for the parties appearing at the auction to appear for the status conference at 1:00 p.m. and that all relevant parties consent to this short postponement, the court on its own motion reschedules the status conference from 1:00 p.m. to 2:00 p.m. Appearances are required at 2:00 p.m., not 1:00 p.m., but counsel may appear by telephone.

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CONT... Zacky & Sons Poultry, LLC

Chapter 11

Prior tentative ruling as of 6/7/19. No tentative ruling on the merits. Appearances are required on 6/10/19, but counsel may appear by telephone.

Prior tentative ruling as of 5/29/19. No tentative ruling on the merits. Appearances are required on 5/30/19, but counsel may appear by telephone.

Prior tentative ruling as of 5/13/19. No tentative ruling on the merits. Appearances are required on 5/13/19, but counsel may appear by telephone.

Prior tentative ruling as of 4/16/19. Off calendar. The court on its own motion continues the status conference to 4/30/19 at 2:30 p.m. to be conducted with the hearing on debtor's motion for an order approving sale of certain estate assets. No appearances are required on 4/17/19.

Prior tentative ruling as of 1/14/19. Appearances are required on 1/16/19, 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 1/9/19, 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

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Wednesday, January 15, 2020

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

#13.00 Cont'd hearing re: Motion to amend adversary complaint and to add Jennifer, quiet title, cancel the deed and note fr. 1/15/19, 8/28/19

Docket 399

Tentative Ruling:

Updated tentative ruling as of 1/13/20. No tentative ruling on the merits. Appearances are required on 1/15/20.

Prior tentative ruling as of 8/26/19. No tentative ruling on the merits. Appearances are required on 8/28/19.

Revised tentative ruling as of 4/29/19. Off calendar. Continued by stipulation and order to 8/28/19 at 1:30 p.m. No appearances are required on 4/30/19.

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

**United States Bankruptcy Court
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1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

Trustee(s):

Sam S Leslie (TR)

Represented By
Christian T Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
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Wednesday, January 15, 2020

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

#14.00 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. 11/30/18, 2/21/19, 8/28/19

Docket 351

Tentative Ruling:

Updated tentative ruling as of 1/13/20. No tentative ruling on the merits. Appearances are required on 1/15/20.

Prior tentative ruling as of 8/26/19. No tentative ruling on the merits. Appearances are required on 8/28/19.

Revised tentative ruling as of 4/29/19. Off calendar. Continued by stipulation and order to 8/28/19 at 1:30 p.m. No appearances are required on 4/30/19.

Party Information

Debtor(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Defendant(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

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Lenders Escrow Inc

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Plaintiff(s):

James Lee Clark

Pro Se

**United States Bankruptcy Court
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CONT... Rita Gail Farris-Ellison

Chapter 7

Trustee(s):

Sam S Leslie (TR)

Represented By
Christian T Kim

**United States Bankruptcy Court
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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

#15.00 Cont'd hearing re: Plaintiff/creditor, James Lee Clark's notice of motion to compel further discovery responses to defendant/debtor Rita Gail Ellison-Farris fr. 8/28/19

Docket 377

Tentative Ruling:

Updated tentative ruling as of 1/13/20. No tentative ruling on the merits. Appearances are required on 1/15/20.

Prior tentative ruling as of 8/26/19. No tentative ruling on the merits. Appearances are required on 8/28/19.

Revised tentative ruling as of 4/29/19. Off calendar. Continued by stipulation and order to 8/28/19 at 1:30 p.m. No appearances are required on 4/30/19.

Party Information

Debtor(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Defendant(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

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Plaintiff(s):

James Lee Clark

Pro Se

**United States Bankruptcy Court
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Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

Trustee(s):

Sam S Leslie (TR)

Represented By
Christian T Kim

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Wednesday, January 15, 2020

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

#16.00 Cont'd hearing re: Plaintiff/creditor, James Lee /Clark's notice of motion to compel inspection and to produce documents and response from and to defendant/debtor Rita Gail Ellison-Farris; request for terminating sanctions fr. 8/28/19

Docket 390

Tentative Ruling:

Updated tentative ruling as of 1/13/20. No tentative ruling on the merits. Appearances are required on 1/15/20.

Updated tentative ruling as of 8/26/19. No tentative ruling on the merits. Appearances are required on 8/28/19.

Revised tentative ruling as of 4/29/19. Off calendar. Continued by stipulation and order to 8/28/19 at 1:30 p.m. No appearances are required on 4/30/19.

Party Information

Debtor(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Defendant(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

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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
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1:30 PM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

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

#17.00 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. 11/30/18, 2/21/19, 8/28/19

Docket 362

Tentative Ruling:

Updated tentative ruling as of 1/13/20. No tentative ruling on the merits. Appearances are required on 1/15/20.

Prior tentative ruling as of 8/26/19. No tentative ruling on the merits. Appearances are required on 8/28/19.

Revised tentative ruling as of 4/29/19. Off calendar. Continued by stipulation and order to 8/28/19 at 1:30 p.m. No appearances are required on 4/30/19.

Party Information

Debtor(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Defendant(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

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Pro Se

Plaintiff(s):

James Lee Clark

Pro Se

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1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

Trustee(s):

Sam S Leslie (TR)

Represented By
Christian T Kim

**United States Bankruptcy Court
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1:30 PM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

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

#18.00 Cont'd 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 fr. 12/18/18, 8/28/19

Docket 397

Tentative Ruling:

Updated tentative ruling as of 1/13/20. No tentative ruling on the merits. Appearances are required on 1/15/20.

Prior tentative ruling as of 8/26/19. No tentative ruling on the merits. Appearances are required on 8/28/19.

Revised tentative ruling as of 4/29/19. Off calendar. Continued by stipulation and order to 8/28/19 at 1:30 p.m. No appearances are required on 4/30/19.

Party Information

Debtor(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Defendant(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

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Pro Se

Does 1 Through 100 Inclusive

Pro Se

Plaintiff(s):

James Lee Clark

Pro Se

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CONT... Rita Gail Farris-Ellison

Chapter 7

Trustee(s):

Sam S Leslie (TR)

Represented By
Christian T Kim

**United States Bankruptcy Court
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1:30 PM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

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

#19.00 Cont'd 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 fr. 2/21/19, 8/28/19

Docket 412

Tentative Ruling:

Updated tentative ruling as of 1/13/20. No tentative ruling on the merits. Appearances are required on 1/15/20.

Prior tentative ruling as of 8/26/19. No tentative ruling on the merits. Appearances are required on 8/28/19.

Revised tentative ruling as of 4/29/19. Off calendar. Continued by stipulation and order to 8/28/19 at 1:30 p.m. No appearances are required on 4/30/19.

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

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CONT... Rita Gail Farris-Ellison

Chapter 7

Trustee(s):

Sam S Leslie (TR)

Represented By
Christian T Kim

**United States Bankruptcy Court
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1:30 PM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

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

#20.00 Cont'd hearing re: Motion to abstain
fr. 8/28/19

Docket 414

Tentative Ruling:

Updated tentative ruling as of 1/13/20. No tentative ruling on the merits.
Appearances are required on 1/15/20.

Prior tentative ruling as of 8/26/19. No tentative ruling on the merits.
Appearances are required on 8/28/19.

Revised tentative ruling as of 4/29/19. Off calendar. Continued by stipulation
and order to 8/28/19 at 1:30 p.m. No appearances are required on 4/30/19.

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

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CONT... Rita Gail Farris-Ellison

Chapter 7

Trustee(s):

Sam S Leslie (TR)

Represented By
Christian T Kim

**United States Bankruptcy Court
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1:30 PM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

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

#21.00 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. 11/30/18, 2/21/19, 8/28/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/13/20. No tentative ruling on the merits.
Appearances are required on 1/15/20.

Prior tentative ruling as of 8/26/19. No tentative ruling on the merits.
Appearances are required on 8/28/19.

Revised tentative ruling as of 4/29/19. Off calendar. Continued by stipulation
and order to 8/28/19 at 1:30 p.m. No appearances are required on 4/30/19.

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

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

Wednesday, January 15, 2020

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

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

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, January 15, 2020

Hearing Room 1675

1:30 PM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:14-01088 Clark v. Farris-Ellison

#22.00 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. 2/21/19, 4/30/19, 8/28/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/13/20. No tentative ruling on the merits. Appearances are required on 1/15/20.

Prior tentative ruling as of 8/26/19. No tentative ruling on the merits. Appearances are required on 8/28/19.

Revised tentative ruling as of 4/29/19. Off calendar. Continued by stipulation and order to 8/28/19 at 1:30 p.m. No appearances are required on 4/30/19.

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

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

Wednesday, January 15, 2020

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**

Friday, January 17, 2020

Hearing Room 1675

9:00 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#1.00 EVIDENTIARY HEARING RE: Objection to claim number 4 by claimant US Bank National Association as Trustee for Velocity Commercial Capital Loan Trust 2014-1 fr. 6/26/19, 7/31/19, 10/4/19

Docket 115

Tentative Ruling:

Updated tentative ruling as of 1/16/20. Off calendar. Continued by stipulation and order to 2/28/20 at 10:00 a.m. No appearances are required on 1/17/20.

Prior tentative ruling as of 11/13/19. Off calendar. Evidentiary hearing on 11/15/19 vacated by order entered on 11/13/19, and telephonic status conference is set for 11/26/19 at 1:30 p.m. to reschedule evidentiary hearing if the parties are unable to stipulate to a continued hearing date and time. No appearances are required on 11/15/19.

Revised tentative ruling as of 10/2/19. Off calendar. Continued by stipulation and order to 11/15/19 at 9:00 a.m. No appearances are required on 10/4/19.

Prior tentative ruling as of 7/29/19. No tentative ruling on the merits. Appearances are required on 7/31/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. No tentative ruling on the merits. Appearances are required on 6/26/19.

Prior tentative ruling. Treat the motion objecting to claim as a contested matter under FRBP 9014 and set a schedule of pretrial proceedings, including discovery, since there are disputed issues of material fact. Parties should confer regarding an appropriate schedule if they can. Appearances are required on 5/8/19, but counsel may appear by telephone.

Creditor may be entitled to its claim for attorneys' fees under 11 U.S.C. 506(b) pursuant to contract based on its loan agreement secured by deed of trust, which were upheld as valid in the state court litigation. The four elements for a claim under 11 U.S.C. 506(b) are: (1) its claim is an allowed secured claim;

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

Friday, January 17, 2020

Hearing Room 1675

9:00 AM

CONT...

Raesi Group, Inc

Chapter 11

(2) it is an oversecured creditor; (3) the fees it asserts are reasonable; and (4) the fees it asserts are provided for under an agreement under which such claim arose, or the fees are provided for under a state statute under which the creditor's claim arose. In re Astle, 364 B.R. 735, 741 (Bankr. D. Idaho 2007). The claim is an allowed secured claim based on the state court judgment, though the judgment is on appeal. The creditor is an oversecured creditor, which is not in dispute. The reasonableness of the fees it asserts is in material dispute. Creditor has only submitted redacted versions of its counsel's fee statements, which do not provide sufficient information for the court to review for reasonableness. Creditor must file unredacted versions, or submit unredacted versions in camera with a privilege log if creditor claims that the reacted matter is privileged. Debtor as the objecting party must carry its burden of explaining what in the fee statements are unreasonable or at least what would be reasonable under the circumstances. In re Koncicky, 2007 WL 7540997 (9th Cir. BAP 2007)(unpublished memorandum opinion) (citation omitted). Debtor has the responsibility to challenge the information and provide evidence controverting that produced by creditor. Id. Debtor has not met this burden. The fees that creditor asserts are provided by the loan agreement between it and its borrower providing for reasonable attorneys' fees if it incurs or pays to maintain, protect or enforce its rights under the loan agreement as secured by the deed of trust. Exhibits A and C to Favela Declaration. Case law in California allows such fees to be added to the balance under the promissory note secured by trust deed. Chacker v. JPMorgan Chase Bank, N.A., 27 Cal.App.5th 351, 356-358 (2018). However, there is no separate award of attorneys' fees authorized by statute, such as California Civil Code 1717 because debtor is not a signatory to the contract in the loan agreement and creditor has not otherwise shown that it would have been liable for the fees of the opposing party if the opposing party had prevailed. Asphalt Professionals, Inc. v. Davis (In re Davis), 595 B.R. 818, 837 (Bankr. C.D. Cal. 2019), citing, Dell Merk, Inc. v. Franzia, 132 Cal.App.4th 443, 441 (2005). Thus, creditor will need to submit fully unredacted copies of its fee statements to the court, and debtor will need to explain what in the fee statements are unreasonable and/or produce evidence showing that the fees are unreasonable.

Party Information

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

Friday, January 17, 2020

Hearing Room 1675

9:00 AM

CONT... Raesi Group, Inc

Chapter 11

Debtor(s):

Raesi Group, Inc

Represented By
Christopher P Walker

Movant(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, January 22, 2020

Hearing Room 1675

1:30 PM

2:15-10768 Brian J Cook

Chapter 7

Adv#: 2:15-01323 Franowicz et al v. Cook

#1.00 Cont'd hearing re: Motion for order awarding attorney's fees and costs to plaintiff
fr. 10/8/19

Docket 130

*** VACATED *** REASON: Cont'd from 1/22/20 to 1/29/20 at 1:30 p.m.
per order entered on 10/9/19-mb.

Tentative Ruling:

Off calendar. Final judgment entered in the adversary proceeding. No
appearances are necessary.

Party Information

Debtor(s):

Brian J Cook

Represented By
Rex Tran
Theresa J Macellaro
Rosaline S Ayoub

Defendant(s):

Brian J Cook

Pro Se

Joint Debtor(s):

Victoria Velasquez Cook

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

Plaintiff(s):

Edward Franowicz

Represented By
James Andrew Hinds Jr
Brian Barouir Yeretian
Paul R Shankman

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

Wednesday, January 22, 2020

Hearing Room 1675

1:30 PM

CONT... Brian J Cook

Chapter 7

Larissa Gallagher

Rachel M Sposato

Represented By
James Andrew Hinds Jr
Brian Barouir Yeretian
Paul R Shankman
Rachel M Sposato

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, January 28, 2020

Hearing Room 1675

10:30 AM

2:19-25094 Reginal C Martin

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(Eagle Investments, 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. Deny request for extraordinary relief in paragraph 4 because movant has not offered evidence or otherwise shown that the circumstances of this specific case and the balance of the equities warrant retroactive stay annulment based on the factors set forth in *In re Gasprom, Inc.*, 500 B.R. 598, 607 (9th Cir. BAP 2013). The 14-day waiting period under FRBP 4001(a)(3) is waived.

Appearances are required on 1/28/20, 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):

Reginal C Martin	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, January 28, 2020

Hearing Room 1675

11:00 AM

2:19-10119 David Lee

Chapter 11

#2.00 Cont'd hearing re: Motion for relief from stay
(YCCS, LLC VS Debtor)
fr. 11/12/19, 11/14/19, 12/10/19

Docket 108

Tentative Ruling:

Updated tentative ruling as of 1/27/20. No tentative ruling in light of debtor's motion for approval of postpetition financing set for hearing on shortened notice on 1/28/20 at 11:00 a.m.

Prior tentative ruling as of 12/10/19. Movant filed declarations on 12/4/19 attesting that its loan was not paid through the refinancing escrow and the loan has matured. Debtor filed a declaration of his loan broker on 12/6/19 discussing the refinancing loan that did not go through and further efforts to obtain a refinancing loan for the subject property. As noted in a prior tentative ruling, past the maturity date, the limited case law on point favors movant's position that cause is shown for stay relief because the failure to pay off the loan by the maturity date is an incurable default which cannot be cured by any Chapter 11 plan because any plan that does not pay off the loan by the maturity date is an impermissible modification of movant's lien rights contrary to 11 U.S.C. 1123(b)(5). In re Crump, 529 B.R. 106 (Bankr. D. S.C. 2015); In re Sampson, 2018 WL 4786404 (Bankr. M.D. Fla. 2018); In re Clay, 204 B.R. 786 (Bankr. N.D. Ala. 1996); see also, Worthington v. General Motors Corp. (In re Claremont Acquisition Corp.), 113 F.3d 1029 (9th Cir. 1997). These cases note that the statutory exception in Chapter 13 cases to extend a due date of a maturing loan on the debtor's principal residence does not apply to Chapter 11 cases, indicating that Congress did not mean to provide for such exception for Chapter 11 plans. While there may be grounds to grant stay relief since debtor cannot propose any plan to modify the rights of the movant as a holder of a claim secured only by a security interest in real property that is debtor's principal residence, if debtor can propose a nonplan takeout strategy to be consummated within a reasonable period of time to realize the value of equity in the property for the benefit of the estate (such as obtaining refinancing loan approval by a different lender within a reasonable period of

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

Tuesday, January 28, 2020

Hearing Room 1675

11:00 AM

CONT...

David Lee

Chapter 11

time, say, 60-90 days), the court would deny the motion without prejudice so that debtor could obtain loan approval from a different lender within a reasonable period of time. While the loan has matured, it appears that the parties contemplated that debtor may not pay the loan on the maturity date and the parties' loan agreement as reflected in the promissory note (Exhibit 2 to Motion) provides that the existing lender can be compensated for any actual damages from debtor's failure to pay the loan at maturity based on the liquidated damages provisions in the loan agreement. Payment of the loan and secured claim during the pendency of this Chapter 11 case would not per se run afoul of 11 U.S.C. 1123(b)(5).

Appearances are required on 12/10/19, but counsel may appear by telephone.

Prior tentative ruling as of 11/11/19. Appearances are required on 11/14/19, but counsel may appear by telephone.

Prior tentative ruling as of 11/8/19. Off calendar. Continued by stipulation and order to 11/14/19 at 11:30 a.m. No appearances are required on 11/12/19.

Prior tentative ruling as of 11/7/19. Having read the supplemental briefs filed by the parties, at this time, the court is inclined to agree with debtor that the motion is premature because he still has time to cure and pay off movant's lien to secure the loan on debtor's principal residence before it matures on 12/1/19 and would deny the motion without prejudice or continue with movant's consent the hearing to after the maturity date because debtor seeks to recover the equity in the property for the estate. (The court notes that debtor filed a motion for approval of postpetition financing to approve a new loan to take out the existing loans on the property on 11/7/19, which has been set for hearing on shortened notice on 11/14/19 at 11:30 a.m.) However, past the maturity date, the limited case law on point favors movant's position that cause is shown for stay relief because the failure to pay off the loan by the maturity date is an incurable default which cannot be cured by any Chapter 11 plan because any plan that does not pay off the loan by the maturity date is an impermissible modification of movant's lien rights contrary to 11 U.S.C. 1123(b)(5). In re Crump, 529 B.R. 106 (Bankr. D. S.C. 2015); In re Sampson,

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

Tuesday, January 28, 2020

Hearing Room 1675

11:00 AM

CONT...

David Lee

Chapter 11

2018 WL 4786404 (Bankr. M.D. Fla. 2018); In re Clay, 204 B.R. 786 (Bankr. N.D. Ala. 1996); see also, Worthington v. General Motors Corp. (In re Claremont Acquisition Corp.), 113 F.3d 1029 (9th Cir. 1997). These cases note that the statutory exception in Chapter 13 cases to extend a due date of a maturing loan on the debtor's principal residence does not apply to Chapter 11 cases, indicating that Congress did not mean to provide for such exception for Chapter 11 plans. Appearances are required on 11/12/19, but counsel may appear by telephone.

Prior tentative ruling. Deny stay relief motion for failure of creditor to meet its burden of proving lack of equity of debtor in collateral under 11 U.S.C. 362(g) (1). Creditor's moving papers on their face show that debtor has equity in the subject property and thus fail to demonstrate lack of equity under 11 U.S.C. 362(d)(2). Moreover, creditor's moving papers lack admissible evidence to demonstrate lack of equity to demonstrate lack of adequate protection under 11 U.S.C. 362(d)(1) because its valuation evidence is not supported by a declaration under penalty of perjury by a qualified valuation expert witness who has conducted a proper valuation analysis based on scientifically accepted valuation principles (i.e., sales comparables analysis) and only consists of hearsay opinions of unknown persons based on unknown analysis. Furthermore, creditor's moving papers on their face fail to demonstrate lack of adequate protection since they indicate a 28% equity cushion to adequately protect its lien interest in the subject property. In re Mellor, 734 F.2d 1396 (9th Cir. 1984). Finally, deny requests for extraordinary relief in paragraphs 8, 10 and 11 for lack of evidentiary and/or legal support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009). Appearances are required on 7/30/19, but counsel may appear by telephone.

Party Information

Debtor(s):

David Lee

Represented By
David A Tilem

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

Tuesday, January 28, 2020

Hearing Room 1675

11:00 AM

2:19-10119 David Lee

Chapter 11

#2.10 Hearing re: Motion for order authorizing debtor to obtain credit pursuant to §364(c)(2)

Docket 239

Tentative Ruling:

No tentative ruling will be issued for the motion heard on shortened notice. Creditor YCCS has filed an opposition to the motion. Appearances are required on 1/28/20, but counsel may appear by telephone.

Party Information

Debtor(s):

David Lee

Represented By
David A Tilem

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

Tuesday, January 28, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01258 Goodrich v. Yeftadonay

- #3.00** Cont'd status conference re: Complaint for: (1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; (2) Recovery of property pursuant to 11 U.S.C. § 550; (3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; (4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and (5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 10/8/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/27/20. No tentative ruling on the merits. Appearances are required on 1/28/20 to address the status of plaintiff's motion for default judgment, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report, indicating that defendant has not responded to the complaint. Plaintiff should indicate when he intends to file a motion for default judgment since this is a default situation. Set a discovery cutoff date of 12/31/19, and set a post-discovery status conference for 1/28/20 at 1:30 p.m. with a status report due to be filed on 1/21/20. Appearances are required on 10/8/19, but counsel may appear by telephone.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Jan Yeftadonay

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By

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

Tuesday, January 28, 2020

Hearing Room 1675

1:30 PM

CONT... SOCALDEAL INC

Chapter 7

Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By

Faye C Rasch

Beth Gaschen

Weiland Golden Goodrich LLP

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

Tuesday, January 28, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01259 Goodrich v. Kabbage, Inc.

#4.00 Cont'd status conference re: Complaint for: (1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; (2) Recovery of property pursuant to 11 U.S.C. § 550; (3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; (4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and (5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 10/8/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/27/20. The court has reviewed plaintiff's unilateral status report, stating that the matter is being settled and documented. Appearances are required on 1/28/20 to discuss when the settlement will be finally documented and a dispositive stipulation and order may be submitted, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report, indicating that defendant has not responded to the complaint. Plaintiff should indicate when he intends to file a motion for default judgment since this is a default situation. Set a discovery cutoff date of 12/31/19, and set a post-discovery status conference for 1/28/20 at 1:30 p.m. with a status report due to be filed on 1/21/20. Appearances are required on 10/8/19, but counsel may appear by telephone.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Kabbage, Inc.

Pro Se

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

Tuesday, January 28, 2020

Hearing Room 1675

1:30 PM

CONT... SOCALDEAL INC

Chapter 7

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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

Tuesday, January 28, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01260 Goodrich v. Marganian

#5.00 Cont'd status conference re: Complaint for: (1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; (2) Recovery of property pursuant to 11 U.S.C. § 550; (3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; (4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and (5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 10/8/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/27/20. No tentative ruling on the merits. Appearances are required on 1/28/20 to address the status of plaintiff's motion for default judgment, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report, indicating that defendant has not responded to the complaint. Plaintiff should indicate when he intends to file a motion for default judgment since this is a default situation. Set a discovery cutoff date of 12/31/19, and set a post-discovery status conference for 1/28/20 at 1:30 p.m. with a status report due to be filed on 1/21/20. Appearances are required on 10/8/19, but counsel may appear by telephone.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Shahram Marganian

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, January 28, 2020

Hearing Room 1675

1:30 PM

CONT... SOCALDEAL INC

Chapter 7

Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By

Faye C Rasch

Beth Gaschen

Weiland Golden Goodrich LLP

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

Tuesday, January 28, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01261 Goodrich v. Paypal, Inc.

#6.00 Cont'd status conference re: Complaint for: (1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; (2) Recovery of property pursuant to 11 U.S.C. § 550; (3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; (4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and (5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 10/8/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/27/20. No tentative ruling on the merits. Appearances are required on 1/28/20, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report, indicating that defendant has not responded to the complaint. Plaintiff should indicate when he intends to file a motion for default judgment since this is a default situation. Set a discovery cutoff date of 12/31/19, and set a post-discovery status conference for 1/28/20 at 1:30 p.m. with a status report due to be filed on 1/21/20. Appearances are required on 10/8/19, but counsel may appear by telephone.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Paypal, Inc.

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

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

Tuesday, January 28, 2020

Hearing Room 1675

1:30 PM

CONT... SOCALDEAL INC

Chapter 7

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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

Tuesday, January 28, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01262 Goodrich v. Pacific City Bank

- #7.00** Cont'd status conference re: Complaint for: (1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; (2) Recovery of property pursuant to 11 U.S.C. § 550; (3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; (4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and (5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 10/8/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/27/20. The court has reviewed plaintiff's unilateral status report, stating that the matter is being settled and documented. Appearances are required on 1/28/20 to discuss when the settlement will be finally documented and a dispositive stipulation and order may be submitted, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report, indicating that defendant has not responded to the complaint. Plaintiff should indicate when he intends to file a motion for default judgment since this is a default situation. Set a discovery cutoff date of 12/31/19, and set a post-discovery status conference for 1/28/20 at 1:30 p.m. with a status report due to be filed on 1/21/20. Appearances are required on 10/8/19, but counsel may appear by telephone.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Pacific City Bank

Pro Se

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

Tuesday, January 28, 2020

Hearing Room 1675

1:30 PM

CONT... SOCALDEAL INC

Chapter 7

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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

Tuesday, January 28, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01263 Goodrich v. Rotana Electronics, Inc.

#8.00 Cont'd status conference re: Complaint for: (1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; (2) Recovery of property pursuant to 11 U.S.C. § 550; (3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; (4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and (5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 10/8/19

Docket 1

*** VACATED *** REASON: Dismissed per stip & order entered on
12/20/19-mb.

Tentative Ruling:

Off calendar. Adversary proceeding dismissed by stipulation and order. No appearances are necessary.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Rotana Electronics, Inc.

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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

Tuesday, January 28, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01264 Goodrich v. U.S. Games Distribution, Inc.

- #9.00** Cont'd status conference re: Complaint for: (1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; (2) Recovery of property pursuant to 11 U.S.C. § 550; (3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; (4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and (5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 10/8/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/27/20. The court has reviewed plaintiff's unilateral status report, stating that the matter is being settled and documented. Appearances are required on 1/28/20 to discuss when the settlement will be finally documented and a dispositive stipulation and order may be submitted, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report, indicating that defendant has not responded to the complaint. Plaintiff should indicate when he intends to file a motion for default judgment since this is a default situation. Set a discovery cutoff date of 12/31/19, and set a post-discovery status conference for 1/28/20 at 1:30 p.m. with a status report due to be filed on 1/21/20. Appearances are required on 10/8/19, but counsel may appear by telephone.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

U.S. Games Distribution, Inc.

Pro Se

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

Tuesday, January 28, 2020

Hearing Room 1675

1:30 PM

CONT... SOCALDEAL INC

Chapter 7

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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

Tuesday, January 28, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01265 Goodrich v. Visa U.S.A. Inc.

#10.00 Cont'd status conference re: Complaint for: (1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; (2) Recovery of property pursuant to 11 U.S.C. § 550; (3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; (4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and (5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 10/8/19

Docket 1

***** VACATED *** REASON: Notice of voluntary dismissal filed
on12/12/19-mb.**

Tentative Ruling:

Off calendar. Adversary proceeding dismissed by voluntary notice of dismissal. No appearances are necessary.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Visa U.S.A. Inc.

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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

Tuesday, January 28, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01266 Goodrich v. YAEL, LLC

#11.00 Cont'd status conference re: Complaint for: (1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; (2) Recovery of property pursuant to 11 U.S.C. § 550; (3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; (4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and (5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 10/8/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/27/20. No tentative ruling on the merits. Appearances are required on 1/28/20 to address the status of plaintiff's motion for default judgment, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report, indicating that defendant has not responded to the complaint. Plaintiff should indicate when he intends to file a motion for default judgment since this is a default situation. Set a discovery cutoff date of 12/31/19, and set a post-discovery status conference for 1/28/20 at 1:30 p.m. with a status report due to be filed on 1/21/20. Appearances are required on 10/8/19, but counsel may appear by telephone.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

YAEL, LLC

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By

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

Tuesday, January 28, 2020

Hearing Room 1675

1:30 PM

CONT... SOCALDEAL INC

Chapter 7

Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By

Faye C Rasch

Beth Gaschen

Weiland Golden Goodrich LLP

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

Tuesday, January 28, 2020

Hearing Room 1675

1:30 PM

2:18-22739 Mario Victor Velasco

Chapter 7

Adv#: 2:19-01037 CASARES v. Velasco et al

#12.00 Cont'd status conference re: Adversary complaint to determine non-dischargeability of debt under 11 U.S.C. 523(a)(2),(4), and (6) fr. 4/9/19

Docket 1

***** VACATED *** REASON: Judgment entered on 1/15/20-mb.**

Tentative Ruling:

Off calendar. Stipulated judgment entered. No appearances are necessary.

Party Information

Debtor(s):

Mario Victor Velasco

Represented By
Rabin J Pournazarian

Defendant(s):

Mario Victor Velasco

Represented By
Andrew Edward Smyth

Toni Ann Velasco

Represented By
Andrew Edward Smyth

Joint Debtor(s):

Toni Ann Velasco

Represented By
Rabin J Pournazarian

Plaintiff(s):

GEORGE CASARES

Represented By
Victor Yoo

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 28, 2020

Hearing Room 1675

1:30 PM

2:19-12016 MINSEOK LEE

Chapter 7

Adv#: 2:19-01163 Starbucks Corporation v. Lee

#13.00 Cont'd status conference re: Complaint and demand for jury trial
fr. 8/13/19, 10/1/19, 10/22/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/27/20. The court has reviewed the parties' unilateral status reports. No tentative ruling on the merits. Appearances are required on 1/28/20, but counsel may appear by telephone.

Prior tentative ruling as of 10/21/19. No tentative ruling on the merits. The court is of the view that there is no right to jury trial on plaintiff's debt dischargeability claims since such claims did not exist at common law, so no Seventh Amendment right to jury trial, and intends to order plaintiff to brief its claimed right to jury trial. Appearances are required on 10/22/19, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report, indicating that defendant has filed a motion to dismiss the amended complaint noticed for hearing on 10/22/19 at 2:30 p.m. The court on its own motion continues the status conference to 10/22/19 at 2:30 p.m. to be conducted with the hearing on the motion to dismiss the amended complaint since that matter will have an impact on the status of the adversary proceeding. No appearances are required on 10/1/19.

Party Information

Debtor(s):

MINSEOK LEE

Represented By
Jaenam J Coe

Defendant(s):

Minseok Lee

Pro Se

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

Tuesday, January 28, 2020

Hearing Room 1675

1:30 PM

CONT... MINSEOK LEE

Chapter 7

Plaintiff(s):

Starbucks Corporation

Represented By
Shayne Figgins
Maria Keller

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 28, 2020

Hearing Room 1675

1:30 PM

2:19-13487 Georgie Charlie Chong Putera

Chapter 7

Adv#: 2:19-01198 Wheel Group Holdings, LLC v. Chong Putera

#14.00 Cont'd status conference re: Complaint to determine dischargeability of debtor
[11 U.S.C. §523(a)(6)]
fr. 9/3/19, 11/5/19

Docket 1

***** VACATED *** REASON: Cont'd from 1/28/20 to 4/14/20 at 1:30 p.m.
per hearing held on 1/14/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 1/27/20. Off calendar. Continued to 4/14/20 at 1:30 p.m. by oral ruling at hearing on 1/14/20. No appearances are required on 1/28/20.

Prior tentative ruling as of 11/4/19. The court will conduct the status conference at 2:00 p.m. with the hearing on the motion to dismiss the amended complaint which will be advanced from the 2:30 p.m. calendar to 2:00 p.m. No tentative ruling on the merits as to the status conference. Appearances are required on 11/5/19 at 2:00 p.m., but counsel may appear by telephone.

Prior tentative ruling as of 8/30/19. Appearances are required on 9/3/19, but counsel may appear by telephone.

The court notes some proofreading deficiencies in the caption of the joint status report: (1) there is a fictitious bar number for Attorney Horowitz since California bar numbers are not yet in the 900,000s; (2) the name of plaintiff's law firm is spelled wrong. On page 2, item B.2, plaintiff refers to taking third party discovery by "spuboena." On page 3, item E.1, there is a reference to informal settlement discussions before and after the "Bankruptcy cse" was filed. Pleadings filed with the court should be proofread carefully before submission. While these deficiencies are not material, they indicate a lack of care in preparing court documents and do not reflect well on the drafter.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, January 28, 2020

Hearing Room 1675

1:30 PM

CONT... Georgie Charlie Chong Putera

Chapter 7

Debtor(s):

Georgie Charlie Chong Putera

Represented By
Eliza Ghanooni

Defendant(s):

Georgie Charlie Chong Putera

Pro Se

Plaintiff(s):

Wheel Group Holdings, LLC

Represented By
Leslie R Horowitz

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 28, 2020

Hearing Room 1675

1:30 PM

2:19-15982 Daniel Hyun You

Chapter 7

Adv#: 2:19-01275 Avery v. Lee et al

#15.00 Cont'd status conference re: Removal of state court action to federal bankruptcy court
[Orange Country Superior Court case no. 30-2018-00965427-CU-OR-CJC]
fr. 10/1/19

Docket 1

***** VACATED *** REASON: Cont'd from 1/28/20 to 3/31/20 at 1:30 p.m.
per stip & order entered on 1/21/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 1/27/20. Off calendar. Continued by stipulation and order to 3/31/20 at 1:30 p.m. No appearances are required on 1/28/20.

Prior tentative ruling. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 10/1/19, but counsel may appear by telephone.

Party Information

Debtor(s):

Daniel Hyun You

Represented By
David Marh

Defendant(s):

Eui Jung Lee

Pro Se

Daniel H. You

Pro Se

Jin You

Pro Se

In Kyu Kang

Pro Se

Hye Kang

Pro Se

Plaintiff(s):

Wesley H. Avery

Represented By
Laila Masud
D Edward Hays

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

Tuesday, January 28, 2020

Hearing Room 1675

1:30 PM

CONT... Daniel Hyun You

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 28, 2020

Hearing Room 1675

1:30 PM

2:19-17471 Maria Emilia Chavez

Chapter 7

Adv#: 2:19-01489 Menchaca v. Bautista et al

#16.00 Status conference re: Trustee's complaint: (1) for imposition of a resulting trust; (2) declaratory relief; (3) turnover of property of the estate; (4) injunctive relief; and (5) for authorization to sell real property in which co-owner holds interest pursuant to 11 U.S.C. §363(h) [11 U.S.C. §§105(a), 363(h), 541(a)(2) and 542, 28 U.S.C. §2201, and Cal. Civ. Code §§2223-2225]

Docket 1

Tentative Ruling:

The court has reviewed trustee's unilateral status report, and the court grants trustee's request to conduct the status conference with the hearing on his motion for default judgment on 1/28/20 at 2:30 p.m. Appearances are required on the 2:30 p.m. hearing calendar. but counsel may appear by telephone.

Party Information

Debtor(s):

Maria Emilia Chavez	Pro Se
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Defendant(s):

Abel Chavez Bautista	Pro Se
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Does 1-20	Pro Se
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Plaintiff(s):

John Menchaca	Represented By Wesley H Avery
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Trustee(s):

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

Tuesday, January 28, 2020

Hearing Room 1675

2:00 PM

2:16-15692 Rama Krishna Chaparala

Chapter 7

Adv#: 2:18-01121 Ehrenberg v. JYMK COSMETICS, INC. et al

#17.00 Pretrial conference re: Complaint for the avoidance and recovery of fraudulent transfers
fr. 4/16/19, 6/25/19, 9/17/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/27/20. Off calendar. The court has reviewed plaintiff's unilateral status report, stating that this is a default situation and requesting a continuance of the status conference to mid-March for him to decide whether to move for default judgment against defendants which are a dissolved corporation and a suspended corporation. The court on its own motion continues the status conference to 3/10/20 at 2:00 p.m. No appearances are required on 1/28/20.

Prior tentative ruling as of 9/16/19. The court has reviewed plaintiff's unilateral status report. Set a discovery cutoff date of 12/31/19 and a pretrial conference for 1/28/20 at 2:00 p.m. Appearances are required on 9/17/19 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. The court has reviewed plaintiff's unilateral status report. No tentative ruling on the merits. Appearances are required on 6/25/19 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Corrected tentative ruling as of 4/15/19. 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 June or early July 2019. The court on its own motion continues the status conference to 6/25/19 at 1:30 p.m., and an updated status report is optional for this status conference, but if one is filed, it would be appreciated if it is filed at least one week before. No appearances are required on 4/16/19.

**United States Bankruptcy Court
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Los Angeles
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Tuesday, January 28, 2020

Hearing Room 1675

2:00 PM

CONT... Rama Krishna Chaparala

Chapter 7

Revised tentative ruling as of 1/29/19. The court has reviewed plaintiff's unilateral status report. No tentative ruling on the merits. Appearances are required on 1/29/19, but counsel may appear by telephone.

Prior 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

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
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Tuesday, January 28, 2020

Hearing Room 1675

2:00 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, January 28, 2020

Hearing Room 1675

2:00 PM

2:16-24760 Philip Joseph Jaurigui

Chapter 7

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

#18.00 Cont'd pretrial conference re: Complaint to determine nondischargeability of debt (11 U.S.C. §§523(a)(2) and (a)(6))
fr. 6/25/19, 10/1/19, 12/3/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/27/20. No tentative ruling on the merits. Appearances are required on 1/28/20, but counsel may appear by telephone.

Prior tentative ruling as of 12/2/19. Off calendar. Continued by stipulation and order to 1/28/20 at 2:00 p.m. No appearances are required on 12/3/19.

Prior 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.

Prior tentative ruling as of 4/23/18. Appearances are required on 4/25/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/5/18. Appearances are required on 4/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/30/18. Appearances are required on 4/2/18, 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.

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
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2:00 PM

CONT... Philip Joseph Jaurigui

Chapter 7

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.

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, January 28, 2020

Hearing Room 1675

2:00 PM

2:18-17205 Avi Cohen

Chapter 7

Adv#: 2:18-01296 Swift Financial, LLC fka Swift Financial Corporati v. Cohen

- #19.00** Pretrial 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) fr. 11/27/18, 6/11/19, 9/17/19

Docket 1

***** VACATED *** REASON: Cont'd from 1/28/20 to 3/24/20 at 2:00 p.m.
per stip & order entered on 1/9/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 1/27/20. Off calendar. Continued by stipulation and order to 3/24/20 at 2:00 p.m. No appearances are required on 1/28/20.

Prior tentative ruling as of 9/16/19. The court has reviewed the joint status report. Set a pretrial conference for 1/28/20 at 2:00 p.m. and a deadline of 1/21/20 for filing a joint pretrial stipulation. Appearances are required on 9/17/19.

Prior tentative ruling as of 6/10/19. Off calendar. The court has reviewed plaintiff's interim status report stating that the alternate mediator would be able to complete a mediation in mid-June and requested a continuance of 30 days. The court on its own motion continues the status conference to 6/25/19 at 1:30 p.m. No appearances are required on 6/11/19. Plaintiff to give notice of continuance to defendant.

Prior 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

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, January 28, 2020

Hearing Room 1675

2:00 PM

CONT...

Avi Cohen

Chapter 7

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
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Tuesday, January 28, 2020

Hearing Room 1675

2:30 PM

2:13-26021 L Scott Apparel Inc.

Chapter 11

Adv#: 2:15-01122 Howard Grobstein as Liquidating Trustee of L. Scot v. Sharron et al

#20.00 Cont'd hearing re: Appearance and examination of judgment debtor Lowell Sharron as the designated representative of judgment debtor Beyond Basics LLC fr. 7/16/19, 10/1/19, 11/19/19

Docket 194

***** VACATED *** REASON: Cont'd from 1/28/20 to 4/14/20 at 2:30 p.m. per stip & order entered on 1/8/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 1/27/20. Off calendar. Continued by stipulation and order to 4/14/20 at 2:30 p.m. No appearances are required on 1/28/20.

Prior tentative ruling as of 11/18/19 Off calendar. Continued by stipulation and order to 1/28/20 at 2:30 p.m. No appearances are required on 11/19/19.

Prior tentative ruling. Off calendar. Continued by stipulation and order to 11/19/19 at 2:30 p.m. No appearances are required on 10/1/19.

Party Information

Debtor(s):

L Scott Apparel Inc.

Represented By
David W Levene
Kurt Ramlo
Paul J Kurtzhall

Defendant(s):

Lowell S. Sharron

Represented By
Lloyd S Mann

Beyond Basics, LLC dba Daily

Represented By
Lloyd S Mann

Plaintiff(s):

Howard Grobstein as Liquidating

Represented By
Brian L Davidoff

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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2:30 PM

CONT... L Scott Apparel Inc.

Chapter 11

Courtney E Norton
Lori L Werderitch
Keith Patrick Banner

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

Tuesday, January 28, 2020

Hearing Room 1675

2:30 PM

2:15-25283 Arturo Gonzalez

Chapter 7

Adv#: 2:19-01483 Gonzalez v. Wesley H. Avery, as the Chapter 7 trustee for the

#21.00 Hearing re: Motion for extension of time to file an appeal if one is necessary; Honorable Judge Kwan to take judicial notice that all of debtor's debt was non-dischargeable

Docket 18

***** VACATED *** REASON: Per order entered on 1/9/2020-mb.**

Tentative Ruling:

Off calendar. Motion ruled upon and granted by order entered on 1/9/20. No appearances are necessary.

Party Information

Debtor(s):

Arturo Gonzalez

Pro Se

Defendant(s):

Wesley H. Avery, as the Chapter 7

Represented By
Brett B Curlee

Plaintiff(s):

Arturo Gonzalez

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Brett B Curlee
Dennis E McGoldrick

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, January 28, 2020

Hearing Room 1675

2:30 PM

2:16-25444 Wladimir John Klimenko

Chapter 7

#22.00 Hearing re: Second interim application for allowance of fees and costs filed by Marshack Hays LLP as general counsel

Docket 203

Tentative Ruling:

Approve second interim fee application of attorney for trustee for reasons stated in the application and for lack of timely written objection. Appearances are optional on 1/28/20, 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):

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
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Tuesday, January 28, 2020

Hearing Room 1675

2:30 PM

2:19-17471 Maria Emilia Chavez

Chapter 7

Adv#: 2:19-01489 Menchaca v. Bautista et al

#23.00 Hearing re: Motion for default judgment

Docket 11

Tentative Ruling:

Grant trustee's motion for default judgment for the reasons stated in the moving papers and for lack of timely written opposition, except deny the motion as to the fifth cause of action under 11 U.S.C. 363(h) which is inapplicable to property determined to be community property within the meaning of 11 U.S.C. 541(a)(2), which trustee may sell pursuant to 11 U.S.C. 363(f). See also, Cisneros v. Diaz (In re Diaz), No. 6:17-bk-15809-MH Chapter 7; Adv. No. 6:17-ap-01287-MH, 2018 Bankr. LEXIS 1510 (Bankr. C.D. Cal., May 22, 2018). Appearances are required on 1/28/20, 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):

Maria Emilia Chavez Pro Se

Defendant(s):

Abel Chavez Bautista Pro Se

Does 1-20 Pro Se

Plaintiff(s):

John Menchaca Represented By
Wesley H Avery

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**

Wednesday, January 29, 2020

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, 2/27/19, 6/26/19, 10/23/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/27/20. No tentative ruling on the merits.
Appearances are required on 1/29/20, but counsel may appear by telephone.

Prior tentative ruling as of 10/21/19. No tentative ruling on the merits.
Appearances are required on 10/23/19, but counsel may appear by
telephone.

Prior tentative ruling as of 6/24/19. No tentative ruling on the merits.
Appearances are required on 6/26/19, 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, January 29, 2020

Hearing Room 1675

11:00 AM

2:11-14196 Gary Wayne Barker

Chapter 11

#2.00 Status conference re: Management of chapter 11 case
fr. 9/18/19

Docket 1

Tentative Ruling:

The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 1/29/20, 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, January 29, 2020

Hearing Room 1675

11:00 AM

2:12-28426 Chestnut, LLC

Chapter 11

#3.00 Cont'd status conference re: Post confirmation of chapter 11 plan
fr. 3/13/19, 9/18/19, 11/13/19

Docket 59

Tentative Ruling:

Updated tentative ruling as of 1/27/20. No tentative ruling on the merits.
Appearances are required on 1/29/20, but counsel may appear by telephone.

Prior tentative ruling as of 11/11/19. No tentative ruling on the merits.
Appearances are required on 11/13/19, but counsel may appear by
telephone.

Prior tentative ruling as of 9/16/19. No tentative ruling on the merits.
Appearances are required on 9/18/19, but counsel may appear by telephone.

Prior tentative ruling as of 3/11/19. No tentative ruling on the merits.
Appearances are required on 3/13/19, 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, January 29, 2020

Hearing Room 1675

11:00 AM

2:17-17577 Peter G. Kudrave

Chapter 11

#4.00 Hearing re: Motion for designation of responsible person under §§105(a) and 1107(a); appointment of successor disbursing agent under §105(a); or designation as proper party under rule 7025

Docket 191

***** VACATED *** REASON: Cont' from 1/29/20 to 3/11/20 at 1:30 p.m.
per order entered on 1/15/20-mb.**

Tentative Ruling:

Off calendar. Continued to 3/11/20 at 1:30 p.m. by prior order. No appearances are required on 1/29/20.

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, January 29, 2020

Hearing Room 1675

11:00 AM

2:17-21123 JC Fits, Inc.

Chapter 11

#5.00 Cont'd status conference re: Management of chapter 11 case
fr. 8/14/19, 8/28/19, 10/23/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/27/20. No tentative ruling on the merits.
Appearances are required on 1/29/20, but counsel may appear by telephone.

Prior tentative ruling as of 10/21/19. The court has reviewed debtor's status
report. No tentative ruling on the merits. Appearances are required on
10/23/19, but counsel may appear by telephone.

Prior tentative ruling as of 8/26/19. No tentative ruling on the merits.
Appearances are required on 8/28/19, but counsel may appear by telephone.

Prior tentative ruling as of 8/13/19. No tentative ruling on the merits.
Appearances are required on 8/14/19, but counsel may appear by telephone.

Prior tentative ruling as of 5/28/19. No tentative ruling on the merits.
Appearances are required on 5/29/19, but counsel may appear by telephone.

Prior tentative ruling as of 2/25/19. No tentative ruling on the merits.
Appearances are required on 2/27/19, but counsel may appear by telephone.

Prior tentative ruling as of 2/4/19. No tentative ruling on the merits.
Appearances are required on 2/6/19, but counsel may appear by telephone.

Prior 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.

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

Wednesday, January 29, 2020

Hearing Room 1675

11:00 AM

CONT... JC Fits, Inc.

Chapter 11

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, January 29, 2020

Hearing Room 1675

11:00 AM

2:18-10524 Fox Property Holdings, LLC

Chapter 11

#6.00 Cont'd status conference re: Management of chapter 11 case
fr. 3/27/19, 6/12/19, 9/18/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/27/20. No tentative ruling on the merits. Appearances are required on 1/29/20, 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 9/16/19. No tentative ruling on the merits. Appearances are required on 9/18/19, 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 6/10/19. No tentative ruling on the merits. Appearances are required on 6/12/19, 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 3/25/19. Off calendar. Continued by stipulation and order to 6/12/19 at 11:00 a.m. No appearances are required on 3/27/19.

Prior tentative ruling as of 3/11/19. No tentative ruling on the merits. Appearances are required on 3/13/19, but counsel may appear by telephone.

Prior tentative ruling as of 3/4/19. No tentative ruling on the merits. Appearances are required on 3/6/19, but counsel may appear by telephone.

Prior tentative ruling as of 1/14/19. No tentative ruling on the merits. Appearances are required on 1/16/19, 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

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

Wednesday, January 29, 2020

Hearing Room 1675

11:00 AM

CONT... Fox Property Holdings, LLC
telephone.

Chapter 11

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, January 29, 2020

Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#7.00 Hearing re: Fourth interim application for compensation and reimbursement of expenses of Michael Jay Berger, Period: 6/27/2019 to 11/30/2019, Fee: \$28,214.50, Expenses: \$715.30

Docket 215

***** VACATED *** REASON: Cont'd from 1/29/20 to 2/5/20 at 11:00 a.m.
per order entered on 1/23/20-mb.**

Tentative Ruling:

Off calendar. Continued to 2/5/20 at 11:00 a.m. by prior order. No appearances are required on 1/29/20.

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, January 29, 2020

Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#8.00 Hearing re: Application for payment of interim fees and/or expenses for Jennifer M Liu, accountant

Docket 218

***** VACATED *** REASON: Cont'd from 1/29/20 to 2/5/20 at 11:00 a.m.
per order entered on 1/23/20-mb.**

Tentative Ruling:

Off calendar. Continued to 2/5/20 at 11:00 a.m. by prior order. No appearances are required on 1/29/20.

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, January 29, 2020

Hearing Room 1675

11:00 AM

2:18-14665 Hugo Hernandez

Chapter 11

#9.00 Hearing re: Application for payment of final fees and/or expenses for Law Offices of Lionel Giron, Debtor's Attorney, Period: 2/21/2019 to 1/3/2020, Fee: \$14,700.00, Expenses: \$834.65.

Docket 120

Tentative Ruling:

Revised tentative ruling as of 1/28/20. Having reviewed the debtor's declaration that he will pay the fees and expenses requested in the second and final fee application with stating any objection to it, the court determines that the requirement of LBR 2016-1(a)(1)(J) is satisfied, and the court will approve the fee application for the reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 1/29/20, 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. Counsel to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Hugo Hernandez

Represented By
Lionel E Giron
Crystle Jane Lindsey
Joanne P Sanchez

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

Wednesday, January 29, 2020

Hearing Room 1675

11:00 AM

2:18-21789 Samuel Marquez

Chapter 11

#10.00 Cont'd status conference re: Management of chapter 11 case
fr. 6/26/19, 9/11/19, 10/16/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/27/20. The United States Trustee filed a notice of delinquency in filing United States Trustee reporting requirements regarding insurance coverage on debtor's motor vehicle. No tentative ruling on the merits. Appearances are required on 1/29/20, but counsel may appear by telephone.

Prior tentative ruling as of 10/15/19. No tentative ruling on the merits. Appearances are required on 10/16/19, but counsel may appear by telephone.

Prior tentative ruling as of 9/9/19. No tentative ruling on the merits. Appearances are required on 9/11/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. No tentative ruling on the merits. Appearances are required on 6/26/19, but counsel may appear by telephone.

Prior tentative ruling as of 3/25/19. No tentative ruling on the merits. Appearances are required on 3/27/19, 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, January 29, 2020

Hearing Room 1675

11:00 AM

2:19-10596 Robert David Katz and Roslyn Soudry Katz

Chapter 11

#11.00 Cont'd hearing re: Motion to disqualify Victor Sahn and SulmeyerKupetz, A Professional Corporation from representing debtors Roslyn Soudry Katz and Robert Katz fr. 9/18/19, 10/10/19, 11/21/19

Docket 197

***** VACATED *** REASON: Per stip & order entered on 1/17/20-mb.**

Tentative Ruling:

Off calendar. Motion resolved by stipulation and order. No appearances are necessary.

Party Information

Debtor(s):

Robert David Katz

Represented By
Victor A Sahn
Steven Werth
Cathy Ta

Joint Debtor(s):

Roslyn Soudry Katz

Represented By
Victor A Sahn
Steven Werth
Cathy Ta

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

Wednesday, January 29, 2020

Hearing Room 1675

1:30 PM

2:15-10768 Brian J Cook

Chapter 7

Adv#: 2:15-01323 Franowicz et al v. Cook

#12.00 Cont'd hearing re: Motion for order awarding attorney's fees and costs to plaintiff
fr. 10/8/19, 1/22/20

Docket 130

***** VACATED *** REASON: Per order entered on 11/6/19-mb.**

Tentative Ruling:

Off calendar. Final judgment entered in the adversary proceeding. No appearances are necessary.

Party Information

Debtor(s):

Brian J Cook

Represented By
Rex Tran
Theresa J Macellaro
Rosaline S Ayoub

Defendant(s):

Brian J Cook

Pro Se

Joint Debtor(s):

Victoria Velasquez Cook

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

Plaintiff(s):

Edward Franowicz

Represented By
James Andrew Hinds Jr
Brian Barouir Yeretian
Paul R Shankman
Rachel M Sposato

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

Wednesday, January 29, 2020

Hearing Room 1675

1:30 PM

CONT... Brian J Cook

Chapter 7

Larissa Gallagher

Represented By
James Andrew Hinds Jr
Brian Barouir Yeretzian
Paul R Shankman
Rachel M Sposato

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**

Wednesday, January 29, 2020

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 Hearing re: Issues raised by the disputes over the proposed scheduling order lodged by the Plan Agent, including the deletion of the proposed language of paragraph 11 of the Plan Agent's proposed scheduling order and the objections of Victor Sahn and Douglas Christmas to their further depositions for matters relating to or arising out of the New Cause of Action

Docket 689

***** VACATED *** REASON: Cont' from 1/29/20 to 2/4/20 at 2:30 p.m. per order entered on 1/24/20-pp.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 2/4/10 at 2:30 p.m. No appearances are required on 1/29/20.

Party Information

Debtor(s):

Art and Architecture Books of the

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

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

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

Wednesday, January 29, 2020

Hearing Room 1675

1:30 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
Ronald Rus
Fahim Farivar
Brian L Davidoff
Keith Patrick Banner

Jennifer Kellen

Represented By
J. Bennett Friedman

Michael D. Smith

Represented By
Brian L Davidoff

Kamran Gharibian

Represented By
Brian L Davidoff

Daryoush Dayan

Represented By
Brian L Davidoff

Cathay Bank, a California

Represented By
Ekwan E Rhow
Elliot C Harvey Schatmeier

Jennifer Kellen

Represented By
Michael D Sobkowiak

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

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

Wednesday, January 29, 2020

Hearing Room 1675

1:30 PM

CONT...

Art and Architecture Books of the 21st Century

Chapter 11

Victor A Sahn
Carolyn A Dye
David J Richardson
Jason Balitzer
Steven Thomas
Stephen Sorensen

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

Friday, January 31, 2020

Hearing Room 1675

9:00 AM

2:19-10119 David Lee

Chapter 11

#1.00 Cont'd hearing re: Motion for relief from stay
(YCCS, LLC VS Debtor)
fr. 11/14/19, 12/10/19, 1/28/20

Docket 108

Tentative Ruling:

Updated tentative ruling as of 1/29/20. Appearances are required on 1/31/20, but counsel may appear by telephone.

Prior tentative ruling as of 1/27/20. No tentative ruling in light of debtor's motion for approval of postpetition financing set for hearing on shortened notice on 1/28/20 at 11:00 a.m.

Prior tentative ruling as of 12/10/19. Movant filed declarations on 12/4/19 attesting that its loan was not paid through the refinancing escrow and the loan has matured. Debtor filed a declaration of his loan broker on 12/6/19 discussing the refinancing loan that did not go through and further efforts to obtain a refinancing loan for the subject property. As noted in a prior tentative ruling, past the maturity date, the limited case law on point favors movant's position that cause is shown for stay relief because the failure to pay off the loan by the maturity date is an incurable default which cannot be cured by any Chapter 11 plan because any plan that does not pay off the loan by the maturity date is an impermissible modification of movant's lien rights contrary to 11 U.S.C. 1123(b)(5). In re Crump, 529 B.R. 106 (Bankr. D. S.C. 2015); In re Sampson, 2018 WL 4786404 (Bankr. M.D. Fla. 2018); In re Clay, 204 B.R. 786 (Bankr. N.D. Ala. 1996); see also, Worthington v. General Motors Corp. (In re Claremont Acquisition Corp.), 113 F.3d 1029 (9th Cir. 1997). These cases note that the statutory exception in Chapter 13 cases to extend a due date of a maturing loan on the debtor's principal residence does not apply to Chapter 11 cases, indicating that Congress did not mean to provide for such exception for Chapter 11 plans. While there may be grounds to grant stay relief since debtor cannot propose any plan to modify the rights of the movant as a holder of a claim secured only by a security interest in real property that is debtor's principal residence, if debtor can propose a nonplan takeout

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

Friday, January 31, 2020

Hearing Room 1675

9:00 AM

CONT...

David Lee

Chapter 11

strategy to be consummated within a reasonable period of time to realize the value of equity in the property for the benefit of the estate (such as obtaining refinancing loan approval by a different lender within a reasonable period of time, say, 60-90 days), the court would deny the motion without prejudice so that debtor could obtain loan approval from a different lender within a reasonable period of time. While the loan has matured, it appears that the parties contemplated that debtor may not pay the loan on the maturity date and the parties' loan agreement as reflected in the promissory note (Exhibit 2 to Motion) provides that the existing lender can be compensated for any actual damages from debtor's failure to pay the loan at maturity based on the liquidated damages provisions in the loan agreement. Payment of the loan and secured claim during the pendency of this Chapter 11 case would not per se run afoul of 11 U.S.C. 1123(b)(5).

Appearances are required on 12/10/19, but counsel may appear by telephone.

Prior tentative ruling as of 11/11/19. Appearances are required on 11/14/19, but counsel may appear by telephone.

Prior tentative ruling as of 11/8/19. Off calendar. Continued by stipulation and order to 11/14/19 at 11:30 a.m. No appearances are required on 11/12/19.

Prior tentative ruling as of 11/7/19. Having read the supplemental briefs filed by the parties, at this time, the court is inclined to agree with debtor that the motion is premature because he still has time to cure and pay off movant's lien to secure the loan on debtor's principal residence before it matures on 12/1/19 and would deny the motion without prejudice or continue with movant's consent the hearing to after the maturity date because debtor seeks to recover the equity in the property for the estate. (The court notes that debtor filed a motion for approval of postpetition financing to approve a new loan to take out the existing loans on the property on 11/7/19, which has been set for hearing on shortened notice on 11/14/19 at 11:30 a.m.) However, past the maturity date, the limited case law on point favors movant's position that cause is shown for stay relief because the failure to pay off the loan by the maturity date is an incurable default which cannot be cured by any Chapter

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

Friday, January 31, 2020

Hearing Room 1675

9:00 AM

CONT...

David Lee

Chapter 11

11 plan because any plan that does not pay off the loan by the maturity date is an impermissible modification of movant's lien rights contrary to 11 U.S.C. 1123(b)(5). In re Crump, 529 B.R. 106 (Bankr. D. S.C. 2015); In re Sampson, 2018 WL 4786404 (Bankr. M.D. Fla. 2018); In re Clay, 204 B.R. 786 (Bankr. N.D. Ala. 1996); see also, Worthington v. General Motors Corp. (In re Claremont Acquisition Corp.), 113 F.3d 1029 (9th Cir. 1997). These cases note that the statutory exception in Chapter 13 cases to extend a due date of a maturing loan on the debtor's principal residence does not apply to Chapter 11 cases, indicating that Congress did not mean to provide for such exception for Chapter 11 plans. Appearances are required on 11/12/19, but counsel may appear by telephone.

Prior tentative ruling. Deny stay relief motion for failure of creditor to meet its burden of proving lack of equity of debtor in collateral under 11 U.S.C. 362(g) (1). Creditor's moving papers on their face show that debtor has equity in the subject property and thus fail to demonstrate lack of equity under 11 U.S.C. 362(d)(2). Moreover, creditor's moving papers lack admissible evidence to demonstrate lack of equity to demonstrate lack of adequate protection under 11 U.S.C. 362(d)(1) because its valuation evidence is not supported by a declaration under penalty of perjury by a qualified valuation expert witness who has conducted a proper valuation analysis based on scientifically accepted valuation principles (i.e., sales comparables analysis) and only consists of hearsay opinions of unknown persons based on unknown analysis. Furthermore, creditor's moving papers on their face fail to demonstrate lack of adequate protection since they indicate a 28% equity cushion to adequately protect its lien interest in the subject property. In re Mellor, 734 F.2d 1396 (9th Cir. 1984). Finally, deny requests for extraordinary relief in paragraphs 8, 10 and 11 for lack of evidentiary and/or legal support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009). Appearances are required on 7/30/19, but counsel may appear by telephone.

Party Information

Debtor(s):

David Lee

Represented By
David A Tilem

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

Friday, January 31, 2020

Hearing Room 1675

9:00 AM

2:19-10119 David Lee

Chapter 11

#2.00 Cont'd hearing re: Motion for order authorizing debtor to obtain credit pursuant to § 364(c)(2) fr. 1/28/20

Docket 239

Tentative Ruling:

Updated tentative ruling as of 1/29/20. Appearances are required on 1/31/20, but counsel may appear by telephone.

Prior tentative ruling. No tentative ruling will be issued for the motion heard on shortened notice. Creditor YCCS has filed an opposition to the motion. Appearances are required on 1/28/20, but counsel may appear by telephone.

Party Information

Debtor(s):

David Lee

Represented By
David A Tilem

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

Tuesday, February 4, 2020

Hearing Room 1675

10:30 AM

2:19-19786 Lazara Juana Amador Sotolongo

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(Toyota Motor Credit Corporation 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):

Lazara Juana Amador Sotolongo

Represented By
Marlin Branstetter

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 4, 2020

Hearing Room 1675

10:30 AM

2:19-20705 Thomas Townsend

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(The Bank of New York Mellon VS Debtor)

Docket 30

Tentative Ruling:

Revised tentative ruling as of 2/3/20. As to the stay against an act against property of the estate, grant motion for stay relief under 11 U.S.C. 362(d)(1) for cause because there is no bankruptcy purpose of having the stay remain in place as to the subject property since the Chapter 7 trustee has filed a no distribution report, meaning that there are no assets to be administered by her in this Chapter 7 case, probably because there is a minimal equity cushion of \$600 (or 0.17%) in the subject property based on the valuation of the amended schedules for the property of \$375,000 minus the amount of the movant's lien of \$347,181.10 and estimated costs of sale of 8% of \$27,120.00. (This equity cushion figure does not factor in the judgment liens asserted to be \$61,389.43 according to movant's figures or \$58,136.09 according to debtor's figures.) Even debtor's asserted equity cushion of \$20,746.66 (or 5.97%) is well below the recognized equity cushion of 20% deemed to be adequate protection under Ninth Circuit case law. In re Mellor, 734 F.2d 1396, 1401 (9th Cir. 1984). The \$600 equity cushion probably has been eroded if debtor has failed to make a mortgage payment since the filing of the motion, which is likely based on the payment history of no payments for the 55 months before the motion was filed, and thus, debtor on this record has failed to meet his burden of showing under 11 U.S.C. 362(g)(2) that movant's lien is adequately protected under 11 U.S.C. 362(d)(1). As to the stay against any act other than an act against property of the estate, including against the debtor, the motion is moot under 11 U.S.C. 362(c)(2)(C) because the stay expired when debtor was granted his discharge on 1/13/20. Debtor now lacks standing to object to stay relief because the stay expires as to him and all other acts not against property of the estate, and as to property of the estate, because this is no distribution case (and thus no surplus estate), he lacks standing to object to stay relief.

No tentative ruling on movant's claim under 11 U.S.C. 362(d)(2) because

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CONT... Thomas Townsend

Chapter 7

there may be a factual dispute regarding the existence of debtor's equity in the subject property, which may be \$600 based on debtor's amended schedules.

No tentative ruling on movant's request for waiver of the 14-day stay of FRBP 4001(a)(3).

Appearances are required on 2/4/20, but counsel may appear by telephone.

Party Information

Debtor(s):

Thomas Townsend

Represented By
Andy J Epstein

Trustee(s):

Elissa Miller (TR)

Pro Se

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10:30 AM

2:19-22112 Gene Anton Johnson

Chapter 7

#3.00 Cont'd hearing re: Motion for relief from stay
(ESA Management LLC VS Debtor)
fr. 1/7/20

Docket 15

Tentative Ruling:

Updated tentative ruling as of 2/3/20. No tentative ruling in light of debtor's response in opposition to the motion and proposed settlement stipulation. Debtor's discharge entered on 1/27/20 may terminate the stay as to the debtor, but does not terminate the stay as to property of the estate. 11 U.S.C. 362(c)(1) and (2). Appearances are required on 2/4/20, 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. 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 paragraphs 7 and 8 for lack of legal and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009).

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

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CONT... Gene Anton Johnson

Chapter 7

Debtor(s):

Gene Anton Johnson

Pro Se

Trustee(s):

John P Pringle (TR)

Pro Se

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10:30 AM

2:19-23576 Heriberto Salas, Jr.

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(U.S. Bank Trust National Association VS Debtor)

Docket 18

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 8 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):

Heriberto Salas, Jr.

Represented By
Stephen L Burton

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

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10:30 AM

2:19-23844 Jordon Charles Moffett

Chapter 7

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

Jordon Charles Moffett

Pro Se

Trustee(s):

Elissa Miller (TR)

Pro Se

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11:00 AM

2:19-20398 DeCor du Soleil, a California corporation

Chapter 7

#6.00 Cont'd hearing re: Chapter 7 trustee's motion for order compelling turnover of estate funds
fr. 1/7/20

Docket 22

***** VACATED *** REASON: Resolved by stip & order entered on 1/29/20
-mb.**

Tentative Ruling:

Updated tentative ruling as of 2/3/20. Off calendar. Motion resolved by stipulation and order. No appearances are required on 2/4/20.

Prior tentative ruling as of 1/7/20. No tentative ruling in light of late opposition filed by respondent. The court is inclined to continue the hearing to allow trustee adequate time to review the late opposition and file a reply. Appearances are required on 1/7/20, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures.

Prior tentative ruling. Grant trustee's motion for turnover of estate property from Law Offices of Steven L. Sugars for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are required on 1/7/20, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures.

Party Information

Debtor(s):

DeCor du Soleil, a California

Represented By
Michael A Cisneros

Trustee(s):

David M Goodrich (TR)

Pro Se

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1:30 PM

2:18-11132 Peter Spennato DDS, Inc. and Peter Spennato, Peter

Chapter 7

#7.00 Cont'd hearing re: Objection to, or, alternatively, request to estimate certain elements of:
(1) proof of claim 1-1 filed by Peggy Murphy and (2) proof of claim 2-1 filed by
Genevive Peterson
fr. 12/10/19, 12/18/19

Docket 80

***** VACATED *** REASON: Withdrawn by stip & order entered on
2/3/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 2/3/20. Off calendar. Motion withdrawn and hearing vacated by stipulation and order. No appearances are required on 2/4/20.

Prior tentative ruling. Treat as a contested matter under FRBP 9014. It is unclear whether the parties agree there are or are not disputed issues of material fact. If the parties agree that there are no disputed issue of material fact, then this contested matter may be tried on stipulated facts or determined upon cross-motions for summary judgment. The parties are apparently requesting that the court make factual findings and conclusions of law on the objections to claims, and there should be proposed findings and conclusions of law from the parties for the court to consider so that there is a record for any appellate court reviewing a final order in this contested matter. If there are disputed issues of material fact, the case should be prepared for trial, or the court should permissively abstain and grant stay relief so that the lawsuit to liquidate the claims may proceed in state court. See *In re Tucson Estates, Inc.*, 912 F.2d 1162, 1166-1168 (9th Cir. 1990). Appearances are required on 12/18/19.

Party Information

Debtor(s):

Peter Spennato DDS, Inc.

Represented By
David B Golubchik

Peter Spennato, Peter Spennato

Represented By
Todd M Arnold

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**CONT... Peter Spennato DDS, Inc. and Peter Spennato, Peter
David B Golubchik**

Chapter 7

Trustee(s):

Carolyn A Dye (TR)

Represented By
James A Dumas Jr
Christian T Kim

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2:18-20432 Don Gonzalez

Chapter 7

Adv#: 2:18-01432 Swift Financial, LLC v. Gonzalez

#8.00 Cont'd 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 neither listed nor scheduled and known to debtor (11 U.S.C. §523(a)(3); 4) debts incurred through conversion under 11 U.S.C. §523(a)(4); 5) debts incurred through willful and malicious injury to property under 11 U.S.C. § 523(a)(6); 6) objection to discharge under 11 U.S.C. §727(a)(5) fr. 2/12/19, 8/20/19, 10/15/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/3/20. Off calendar. Because this is now a default situation, the court on its own motion continues the status conference to 3/24/20 at 2:30 p.m. to be conducted with the hearing on plaintiff's anticipated motion for default judgment. No appearances are required on 2/4/20, 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 10/11/19. No tentative ruling on the merits. Appearances are required on 10/15/19, 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. The court has reviewed plaintiff's unilateral status report. No tentative ruling on the merits. Appearances are required on 2/12/19, but counsel may appear by telephone.

Party Information

Debtor(s):

Don Gonzalez

Pro Se

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CONT... Don Gonzalez

Chapter 7

Defendant(s):

Don Gonzalez

Pro Se

Plaintiff(s):

Swift Financial, LLC

Represented By
Daren M Schlecter

Trustee(s):

Wesley H Avery (TR)

Pro Se

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1:30 PM

2:19-10246 Dean Henrik Okland

Chapter 11

Adv#: 2:19-01102 Sunderland et al v. Okland

#9.00 Cont'd status conference re: Complaint for: (1)-(3) exception to discharge of certain debts [11 U.S.C. §§523(a)(2)(A),(4) and (6); (4)-(7) denial of discharge as to all debts [11 U.S.C. §§727(a)(2)-(5)]
fr. 6/11/19, 8/13/19, 10/8/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/3/20. No tentative ruling on the merits.
Appearances are required on 2/4/20, but counsel may appear by telephone.

Prior tentative ruling as of 11/4/19. No tentative ruling on the merits.
Appearances are required on 11/5/19, but counsel may appear by telephone.

Prior tentative ruling as of 10/7/19. The court has reviewed the joint status report, stating that defendant's counsel has been unable to communicate with his client and may have to file a motion to withdraw. Appearances are required on 10/8/19 to discuss the status of counsel's efforts to communicate with defendant and whether a motion to withdraw will be filed, but counsel may appear by telephone.

Prior tentative ruling as of 8/12/19. Off calendar. Continued by stipulation and order to 10/8/19 at 1:30 p.m. No appearances are required on 8/13/19.

Prior tentative ruling. The court has reviewed plaintiffs' unilateral status report and notes that plaintiffs resubmitted a request for entry of default on 6/7/19. The court on its own motion continues the status conference to 8/13/19 at 1:30 p.m. in order for plaintiffs' request for entry of default be considered by the court and for plaintiffs to prepare and file a motion for entry of default judgment. No appearances are required on 6/11/19.

Party Information

Debtor(s):

Dean Henrik Okland

Represented By

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CONT... Dean Henrik Okland

Chapter 11

Matthew D. Resnik
Roksana D. Moradi-Brovia

Defendant(s):

Dean Henrik Okland

Represented By
Roksana D. Moradi-Brovia

Plaintiff(s):

Jennifer Sunderland

Represented By
Kimberly Wright

James Farrow

Represented By
Kimberly Wright

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1:30 PM

2:19-13181 Serapio Venegas

Chapter 7

Adv#: 2:19-01481 Krasnoff Ch 7 Trustee v. Alliance United Insurance Company

#10.00 Cont'd status conference re: Removal of civil action to federal bankruptcy court
fr. 12/17/19

Docket 1

***** VACATED *** REASON: Cont'd from 2/4/20 to 3/3/20 at 2:30 p.m. per
stip & order entered on 1/21/20-mb,**

Tentative Ruling:

Updated tentative ruling as of 2/3/20. Off calendar. Continued by stipulation
and order to 3/3/20 at 2:30 p.m. No appearances are required on 2/4/20.

Prior tentative ruling. The court has reviewed the joint status report. No
tentative ruling on the merits. Appearances are required on 12/17/19.

Party Information

Debtor(s):

Serapio Venegas

Pro Se

Defendant(s):

Alliance United Insurance Company

Represented By
Robert J Pfister
Charles A. Danaher
Theona Zhordania

Plaintiff(s):

Brad D Krasnoff Ch 7 Trustee

Represented By
Eric P Israel
Sonia Singh
Steven Schuetze
Kristin Hobbs
Ricardo Echeverria

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CONT... Serapio Venegas

Chapter 7

Trustee(s):

Brad D Krasnoff (TR)

Represented By
Eric P Israel
Sonia Singh

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2:19-15729 Eric John Kaesman

Chapter 7

#11.00 Cont'd status conference re: Creditor Ann Marie Kaesman's motion to dismiss chapter 7 case pursuant to 11 U.S.C. §§ 707(b)(1) and (b)(2) fr. 9/17/19, 12/3/19

Docket 23

***** VACATED *** REASON: Resolved per order approving compromise entered on 1/24/20-mb**

Tentative Ruling:

Off calendar. Motion resolved by stipulation and order. No appearances are necessary.

Party Information

Debtor(s):

Eric John Kaesman

Represented By
Stephen A Madoni
Maureen Strube

Trustee(s):

Edward M Wolkowitz (TR)

Represented By
Nancy H Zamora

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Hearing Room 1675

2:30 PM

2:17-17972 Sion Javaheri

Chapter 7

#12.00 Hearing re: Trustee's motion to approve compromise with Shaun Toub

Docket 140

Tentative Ruling:

Grant trustee's motion to approve compromise with creditor Shaun Toub for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are optional on 2/4/20, but counsel may appear by telephone. Trustee to lodge a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Sion Javaheri

Represented By
Edmond Nassirzadeh
Michael S Kogan

Trustee(s):

Brad D Krasnoff (TR)

Represented By
Eric P Israel
Sonia Singh
George E Schulman

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2:30 PM

2:18-13759 Charles Peters

Chapter 11

#13.00 Hearing re: Motion to withdraw as debtor's bankruptcy counsel

Docket 227

***** VACATED *** REASON: Cont'd from 2/4/20 to 2/5/20 at 11:00 a.m.
per order entered on 1/23/20-mb.**

Tentative Ruling:

Off calendar. Continued to 2/5/20 at 11:00 a.m. by prior order. No appearances are required on 2/4/20.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Michael Jay Berger

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2:30 PM

2:19-13181 Serapio Venegas

Chapter 7

Adv#: 2:19-01481 Krasnoff Ch 7 Trustee v. Alliance United Insurance Company

#14.00 Hearing re: Chapter 7 trustee's motion to remand the adversary proceeding under 28 U.S.C. §1452(b), and Federal Rule of Bankruptcy Procedure 9027

Docket 16

***** VACATED *** REASON: Cont'd from 2/4/20 to 3/3/20 at 2:30 p.m. per stip & order entered on 1/21/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 3/3/20 at 2:30 p.m. No appearances are required on 2/4/20.

Party Information

Debtor(s):

Serapio Venegas

Pro Se

Defendant(s):

Alliance United Insurance Company

Represented By
Robert J Pfister
Charles A. Danaher
Theona Zhordania

Plaintiff(s):

Brad D Krasnoff Ch 7 Trustee

Represented By
Eric P Israel
Sonia Singh
Steven Schuetze
Kristin Hobbs
Ricardo Echeverria

Trustee(s):

Brad D Krasnoff (TR)

Represented By
Eric P Israel
Sonia Singh

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2:30 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.

#15.00 Cont'd hearing re: Issues raised by the disputes over the proposed scheduling order lodged by the Plan Agent, including the deletion of the proposed language of paragraph 11 of the Plan Agent's proposed scheduling order and the objections of Victor Sahn and Douglas Christmas to their further depositions for matters relating to or arising out of the New Cause of Action
fr. 1/29/20

Docket 689

Tentative Ruling:

No tentative ruling as of 2/3/20. Appearances are required on 2/4/20 for counsel and parties who want to be heard on the matter, 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):

Art and Architecture Books of the

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

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

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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
Ronald Rus
Fahim Farivar
Brian L Davidoff
Keith Patrick Banner

Jennifer Kellen

Represented By
J. Bennett Friedman

Michael D. Smith

Represented By
Brian L Davidoff

Kamran Gharibian

Represented By
Brian L Davidoff

Daryoush Dayan

Represented By
Brian L Davidoff

Cathay Bank, a California

Represented By
Ekwan E Rhow
Elliot C Harvey Schatmeier

Jennifer Kellen

Represented By
Michael D Sobkowiak

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

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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
Steven Thomas
Stephen Sorensen

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2:19-10119 David Lee

Chapter 11

#1.10 Cont'd hearing re: Motion for relief from stay
(YCCS, LLC VS Debtor)
fr. 12/10/19, 1/28/20, 1/31/20

Docket 108

Tentative Ruling:

Updated tentative ruling as of 2/3/20. Appearances are required on 2/5/20, but counsel may appear by telephone.

Prior tentative ruling as of 1/29/20. Appearances are required on 1/31/20, but counsel may appear by telephone.

Prior tentative ruling as of 1/27/20. No tentative ruling in light of debtor's motion for approval of postpetition financing set for hearing on shortened notice on 1/28/20 at 11:00 a.m.

Prior tentative ruling as of 12/10/19. Movant filed declarations on 12/4/19 attesting that its loan was not paid through the refinancing escrow and the loan has matured. Debtor filed a declaration of his loan broker on 12/6/19 discussing the refinancing loan that did not go through and further efforts to obtain a refinancing loan for the subject property. As noted in a prior tentative ruling, past the maturity date, the limited case law on point favors movant's position that cause is shown for stay relief because the failure to pay off the loan by the maturity date is an incurable default which cannot be cured by any Chapter 11 plan because any plan that does not pay off the loan by the maturity date is an impermissible modification of movant's lien rights contrary to 11 U.S.C. 1123(b)(5). In re Crump, 529 B.R. 106 (Bankr. D. S.C. 2015); In re Sampson, 2018 WL 4786404 (Bankr. M.D. Fla. 2018); In re Clay, 204 B.R. 786 (Bankr. N.D. Ala. 1996); see also, Worthington v. General Motors Corp. (In re Claremont Acquisition Corp.), 113 F.3d 1029 (9th Cir. 1997). These cases note that the statutory exception in Chapter 13 cases to extend a due date of a maturing loan on the debtor's principal residence does not apply to Chapter 11 cases, indicating that Congress did not mean to provide for such exception for Chapter 11 plans. While there may be grounds to grant stay

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CONT...

David Lee

Chapter 11

relief since debtor cannot propose any plan to modify the rights of the movant as a holder of a claim secured only by a security interest in real property that is debtor's principal residence, if debtor can propose a nonplan takeout strategy to be consummated within a reasonable period of time to realize the value of equity in the property for the benefit of the estate (such as obtaining refinancing loan approval by a different lender within a reasonable period of time, say, 60-90 days), the court would deny the motion without prejudice so that debtor could obtain loan approval from a different lender within a reasonable period of time. While the loan has matured, it appears that the parties contemplated that debtor may not pay the loan on the maturity date and the parties' loan agreement as reflected in the promissory note (Exhibit 2 to Motion) provides that the existing lender can be compensated for any actual damages from debtor's failure to pay the loan at maturity based on the liquidated damages provisions in the loan agreement. Payment of the loan and secured claim during the pendency of this Chapter 11 case would not per se run afoul of 11 U.S.C. 1123(b)(5).

Appearances are required on 12/10/19, but counsel may appear by telephone.

Prior tentative ruling as of 11/11/19. Appearances are required on 11/14/19, but counsel may appear by telephone.

Prior tentative ruling as of 11/8/19. Off calendar. Continued by stipulation and order to 11/14/19 at 11:30 a.m. No appearances are required on 11/12/19.

Prior tentative ruling as of 11/7/19. Having read the supplemental briefs filed by the parties, at this time, the court is inclined to agree with debtor that the motion is premature because he still has time to cure and pay off movant's lien to secure the loan on debtor's principal residence before it matures on 12/1/19 and would deny the motion without prejudice or continue with movant's consent the hearing to after the maturity date because debtor seeks to recover the equity in the property for the estate. (The court notes that debtor filed a motion for approval of postpetition financing to approve a new loan to take out the existing loans on the property on 11/7/19, which has been set for hearing on shortened notice on 11/14/19 at 11:30 a.m.) However, past

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CONT...

David Lee

Chapter 11

the maturity date, the limited case law on point favors movant's position that cause is shown for stay relief because the failure to pay off the loan by the maturity date is an incurable default which cannot be cured by any Chapter 11 plan because any plan that does not pay off the loan by the maturity date is an impermissible modification of movant's lien rights contrary to 11 U.S.C. 1123(b)(5). In re Crump, 529 B.R. 106 (Bankr. D. S.C. 2015); In re Sampson, 2018 WL 4786404 (Bankr. M.D. Fla. 2018); In re Clay, 204 B.R. 786 (Bankr. N.D. Ala. 1996); see also, Worthington v. General Motors Corp. (In re Claremont Acquisition Corp.), 113 F.3d 1029 (9th Cir. 1997). These cases note that the statutory exception in Chapter 13 cases to extend a due date of a maturing loan on the debtor's principal residence does not apply to Chapter 11 cases, indicating that Congress did not mean to provide for such exception for Chapter 11 plans. Appearances are required on 11/12/19, but counsel may appear by telephone.

Prior tentative ruling. Deny stay relief motion for failure of creditor to meet its burden of proving lack of equity of debtor in collateral under 11 U.S.C. 362(g) (1). Creditor's moving papers on their face show that debtor has equity in the subject property and thus fail to demonstrate lack of equity under 11 U.S.C. 362(d)(2). Moreover, creditor's moving papers lack admissible evidence to demonstrate lack of equity to demonstrate lack of adequate protection under 11 U.S.C. 362(d)(1) because its valuation evidence is not supported by a declaration under penalty of perjury by a qualified valuation expert witness who has conducted a proper valuation analysis based on scientifically accepted valuation principles (i.e., sales comparables analysis) and only consists of hearsay opinions of unknown persons based on unknown analysis. Furthermore, creditor's moving papers on their face fail to demonstrate lack of adequate protection since they indicate a 28% equity cushion to adequately protect its lien interest in the subject property. In re Mellor, 734 F.2d 1396 (9th Cir. 1984). Finally, deny requests for extraordinary relief in paragraphs 8, 10 and 11 for lack of evidentiary and/or legal support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009). Appearances are required on 7/30/19, but counsel may appear by telephone.

Party Information

Debtor(s):

David Lee

Represented By

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

Wednesday, February 5, 2020

Hearing Room 1675

10:45 AM

CONT...

David Lee

David A Tilem

Chapter 11

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

Wednesday, February 5, 2020

Hearing Room 1675

10:45 AM

2:19-10119 David Lee

Chapter 11

#1.20 Cont'd hearing re: Motion for order authorizing debtor to obtain credit pursuant to § 364(c)(2) fr. 1/28/20, 1/31/20

Docket 239

Tentative Ruling:

Updated tentative ruling as of 2/3/20. Appearances are required on 2/5/20, but counsel may appear by telephone.

Prior tentative ruling as of 1/29/20. Appearances are required on 1/31/20, but counsel may appear by telephone.

Prior tentative ruling. No tentative ruling will be issued for the motion heard on shortened notice. Creditor YCCS has filed an opposition to the motion. Appearances are required on 1/28/20, but counsel may appear by telephone.

Party Information

Debtor(s):

David Lee

Represented By
David A Tilem

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

Wednesday, February 5, 2020

Hearing Room 1675

10:45 AM

2:19-10119 David Lee

Chapter 11

#1.30 Hearing re: Motion in individual chapter 11 case for order authorizing debtor in possession to employ professional (other than general bankruptcy counsel) (LBR 2014-1): Isaac Vizcarra as Real Estate Broker

Docket 235

Tentative Ruling:

No tentative ruling as of 2/4/20. Appearances are required on 2/5/20, but counsel may appear by telephone.

Party Information

Debtor(s):

David Lee

Represented By
David A Tilem

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

Wednesday, February 5, 2020

Hearing Room 1675

11:00 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#1.00 Hearing re: Motion for order authorizing use of cash collateral and providing adequate protection pursuant to sections 361 and 363 of the bankruptcy code

Docket 125

Tentative Ruling:

No tentative ruling as of 2/3/20. Appearances are required on 2/5/20, 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, February 5, 2020

Hearing Room 1675

11:00 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#2.00 Hearing re: Motion for entry of discharge pursuant to bankruptcy code section 1141

Docket 151

Tentative Ruling:

Revised tentative ruling as of 2/4/20. Debtor has not shown substantial consummation as defined in the confirmed plan as payment of all allowed claims for entry of discharge under the plan. There is no showing of payment of the claims of Elin Khatchatourian and Erik Hovesejian c/o Tony Forberg, Esq., in the amounts of \$36,500 scheduled on Schedule E/F of the petition and not scheduled as contingent, unliquidated or disputed, which claims are deemed filed and allowed as indicated in the notice of claims bar date, ECF 76. Although the disclosure statement refers to such claims are possibly being disallowed, there has been no disallowance of such claims on claim objections. Appearances are required on 2/5/20, 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, February 5, 2020

Hearing Room 1675

11:00 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#3.00 Cont'd status conference re: Post confirmation of chapter 11 plan
fr. 4/17/19, 8/14/19, 10/23/19

Docket 82

Tentative Ruling:

Updated tentative ruling as of 2/3/20. No tentative ruling on the merits.
Appearances are required on 2/5/20, but counsel may appear by telephone.

Prior tentative ruling as of 10/21/19. No tentative ruling on the merits.
Appearances are required on 10/23/19, but counsel may appear by
telephone.

Prior tentative ruling as of 8/12/19. The court has reviewed debtor's status
report. No tentative ruling on the merits. Appearances are required on
8/13/19, but counsel may appear by telephone.

Prior tentative ruling as of 4/16/19. Appearances are required on 4/17/19, 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, February 5, 2020

Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#4.00 Cont'd status conference re: Management of chapter 11 case
fr. 2/6/19, 6/26/19, 10/2/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/3/20. No tentative ruling on the merits. At least, new proposed counsel for debtor should appear and discuss how debtor plans to proceed with the case. Appearances are required on 2/5/20, but counsel may appear by telephone.

Prior tentative ruling as of 9/30/19. No tentative ruling on the merits. Appearances are required on 10/2/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 6/26/19, 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, February 5, 2020

Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#5.00 Cont'd hearing re: Motion to withdraw as debtor's bankruptcy counsel
fr. 2/5/20

Docket 227

Tentative Ruling:

It appears that the motion to withdraw should be granted since a consensual substitution of attorney has been filed with new proposed counsel taking over representation for movant and that no opposition has been filed to the motion. Appearances are required on 2/5/20, 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, February 5, 2020

Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#6.00 Cont'd hearing re: Fourth interim application for compensation and reimbursement of expenses of Michael Jay Berger, Period: 6/27/2019 to 11/30/2019, Fee: \$28,214.50, Expenses: \$715.30 fr. 1/19/20

Docket 215

Tentative Ruling:

No tentative ruling in light of objections to the interim fee application by debtor and creditor James Regan. The court is inclined to defer a ruling on the interim fee application until fee applications of estate professionals are considered on a final basis pursuant to LBR 2016-1(c)(3) and because the estate lacks funds to pay the interim fee application at this time. It seems to the court that it is a better use of litigation resources to litigate the fee application of applicant on a final fee when the case is ready for disposition through the plan confirmation process. Appearances are required on 2/5/20, but counsel and applicant 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, February 5, 2020

Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#7.00 Cont'd hearing re: Application for payment of interim fees and/or expenses for Jennifer M Liu, accountant
fr. 1/29/20

Docket 218

Tentative Ruling:

Applicant has not shown that the requirement of LBR 2016-1(a)(1)(J) is satisfied that either (1) there is a separately filed declaration from the client indicating that the client has reviewed the application and has no objection to it; or (2) if the client refuses to provide such a declaration, the applicant has filed a declaration describing the steps that were taken to obtain the client's declaration and the client's response thereto. If debtor wants applicant to render services to the estate, debtor should state a position whether the requested interim fees may be approved and paid. Appearances are required on 2/5/20, but counsel and applicant 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, February 5, 2020

Hearing Room 1675

11:00 AM

2:18-21789 Samuel Marquez

Chapter 11

#8.00 Cont'd status conference re: Management of chapter 11 case
fr. 9/11/19, 10/16/19, 1/29/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/3/20. No tentative ruling on the merits.
Appearances are required on 2/5/20, but counsel may appear by telephone.

Prior tentative ruling as of 1/27/20. The United States Trustee filed a notice
of delinquency in filing United States Trustee reporting requirements
regarding insurance coverage on debtor's motor vehicle. No tentative ruling
on the merits. Appearances are required on 1/29/20, but counsel may appear
by telephone.

Prior tentative ruling as of 10/15/19. No tentative ruling on the merits.
Appearances are required on 10/16/19, but counsel may appear by
telephone.

Prior tentative ruling as of 9/9/19. No tentative ruling on the merits.
Appearances are required on 9/11/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. No tentative ruling on the merits.
Appearances are required on 6/26/19, but counsel may appear by telephone.

Prior tentative ruling as of 3/25/19. No tentative ruling on the merits.
Appearances are required on 3/27/19, 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**

Friday, February 7, 2020

Hearing Room 1675

10:00 AM

2:18-13759 Charles Peters

Chapter 11

#1.00 EVIDENTIARY HEARING RE: Motion for relief from stay
(County of Riverside VS Debtor)
fr. 5/30/19, 9/19/19, 11/14/19

Docket 20

***** VACATED *** REASON: Cont'd from 2/7/20 to 5/1/20 at 10:00 a.m.
per stip & order entered on 1/16/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 1/29/20. Off calendar. Continued by stipulation and order to 5/1/20 at 10:00 a.m. No appearances are required on 2/7/20.

Prior tentative ruling as of 8/16/19. Off calendar. Continued by stipulation and order to 11/14/19 at 10:00 a.m. No appearances are required on 9/19/19.

Prior 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**

Friday, February 7, 2020

Hearing Room 1675

11:00 AM

2:19-10596 Robert David Katz and Roslyn Soudry Katz

Chapter 11

#2.00 Cont'd hearing re: Motion of Roslyn Soudry Katz and Naomi Jacobs to quash subpoena served upon Mufg Union Bank, N.A. or, in the alternative, to modify subpoena (FRBankr. P9016; FRCP 45(d)(3)(A) and 45 (d)(3)(B) fr. 8/28/19, 10/10/19, 11/21/19

Docket 180

***** VACATED *** REASON: Per stip & order entered on 1/17/20-mb.**

Tentative Ruling:

Off calendar. Motion resolved by stipulation and order. No appearances are necessary.

Party Information

Debtor(s):

Robert David Katz

Represented By
Victor A Sahn
Steven Werth
Cathy Ta

Joint Debtor(s):

Roslyn Soudry Katz

Represented By
Victor A Sahn
Steven Werth
Cathy Ta

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

Tuesday, February 11, 2020

Hearing Room 1675

10:30 AM

2:19-15982 Daniel Hyun You

Chapter 7

#1.00 Cont'd hearing re: Motion for relief from stay
(Wells Fargo Bank, N.A. VS Debtor)
fr. 8/27/19, 10/8/19, 12/10/19

Docket 15

***** VACATED *** REASON: Cont'd from 2/11/20 to 4/14/20 at 10:30 a.m.
per stip & order entered on 2/7/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 2/10/20. Off calendar. Continued by stipulation and order to 4/14/20 at 10:30 a.m. No appearances are required on 2/11/20.

Prior tentative ruling as of 12/9/19. Off calendar. Continued by stipulation and order to 2/11/20 at 10:30 a.m. No appearances are required on 12/10/19.

Prior tentative ruling as of 10/7/19. Off calendar. Continued by stipulation and order to 12/10/19 at 10:30 a.m. No appearances are required on 10/8/19.

Prior tentative ruling. The hearing is continued by stipulation and order to 10/8/19 at 10:30 a.m. The order further provides that because service of the moving papers was deficient because movant has not served a judge's copy with separately tabbed exhibits as required by Local Bankruptcy Rule 5005-2(d), movant was ordered to comply with the rule and serve a judge's copy of its moving papers with separately tabbed exhibits within 7 days of the date of entry of the order. No appearances are required on 8/27/19.

Party Information

Debtor(s):

Daniel Hyun You

Represented By
David Marh

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 11, 2020

Hearing Room 1675

10:30 AM

2:19-25052 Andra Medical Group, PC

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Stanford Culver LLC VS Debtor)

Docket 7

Tentative Ruling:

Grant movant's request for declaratory relief confirming that no stay is in effect since debtor surrendered the leased premises to movant prepetition on grounds that any rights in the lease that debtor had were not property of the bankruptcy estate for purposes of 11 U.S.C. 362(a) due to prepetition surrender of the premises for the reasons stated in the moving papers and for lack of timely written opposition. Alternatively, grant stay relief under 11 U.S.C. 362(d)(1) and (2) for the reasons stated in the moving papers and for lack of timely written opposition. Deny request for extraordinary relief in paragraph 13 for lack of legal and/or evidentiary support (also for lack of necessity). Grant request for waiver of 14-day stay prescribed by FRBP 4001(a)(3). Appearances are optional on 2/11/20, but counsel may appear by telephone. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Andra Medical Group, PC

Represented By
Sanaz S Bereliani

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 11, 2020

Hearing Room 1675

11:00 AM

2:19-10119 David Lee

Chapter 11

#3.00 Cont'd hearing re: Motion for relief from stay
(Rehabbers Financial, Inc. dba Aztec Financial VS Debtor)
fr. 9/10/19, 10/15/19, 11/19/19, 1/14/20

Docket 161

***** VACATED *** REASON: Cont'd from 2/11/20 to 3/10/20 at 11:00 a.m.
per stip & order entered on 2/10/20-mb.**

Tentative Ruling:

Revised tentative ruling as of 2/10/20. Off calendar. Continued by stipulation and order to 3/10/20 at 11:00 a.m. (not 10:30 a.m. as proposed in the stipulation). No appearances are required on 2/11/20.

Prior tentative ruling as of 1/13/20. The court has reviewed debtor's unilateral status report. No tentative ruling on the merits. Appearances are required on 1/14/20, but counsel may appear by telephone.

Prior tentative ruling as of 11/18/19. Based on this record, it appears that valuation of the subject property is not in dispute since the "as is" values appear to be comparable and there is no equity at this time, though debtor contends that the property as developed (i.e., "as completed") would be worth much more and would provide value to the estate if he develops the property. While the lack of equity is shown under 11 U.S.C. 362(d)(2), the remaining issue is whether that the property is necessary for debtor's reorganization, or there is some evidence that his plan of reorganization could be confirmed by a reasonable bankruptcy judge. In re Bonner Mall Partnership, 2 F.3d 899, 902 n. 4 (9th Cir. 1993). Debtor as the party opposing stay relief has the burden on this issue under 11 U.S.C. 362(g)(2), and debtor's un rebutted evidentiary showing in his and the Martinez and Wiltchik declarations that he could develop the property to generate value for the estate could be part of a plan of reorganization that could be confirmed by a reasonable bankruptcy judge. At this point, there is no evidence that the property is declining in value or that an equity cushion is eroding to warrant adequate protection under 11 U.S.C. 362(d)(1). The court is inclined to deny the stay relief motion without prejudice, and allow debtor for the time being a reasonable time to propose a plan which includes development of this property, although the

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

Tuesday, February 11, 2020

Hearing Room 1675

11:00 AM

CONT...

David Lee

Chapter 11

court notes that this case is almost a year old and debtor will need to propose a plan within a reasonable time. Appearances are required on 11/19/19, but counsel may appear by telephone.

Prior tentative ruling as of 10/11/19. No tentative ruling on the merits. Appearances are required on 10/15/19 to discuss scheduling of further proceedings, including an evidentiary hearing. Appearances are required on 10/15/19, but counsel may appear by telephone.

Prior tentative ruling. The court was inclined to allow a short continuance of the hearing to allow debtor to obtain a valuation opinion in response to the valuation opinion submitted on behalf of movant. Debtor to provide a reasonable estimate when the appraisal can be obtained, so that the court can set an evidentiary hearing on valuation and cause for stay relief, including lack of adequate protection. Appearances are required on 9/10/19, but counsel may appear by telephone.

Party Information

Debtor(s):

David Lee

Represented By
David A Tilem

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

Tuesday, February 11, 2020

Hearing Room 1675

1:30 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01158 Carter et al v. Martinez

#4.00 Cont'd status 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. 6/25/19, 8/27/19, 10/22/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/11/20. The court has reviewed the parties' joint status update. No tentative ruling on the merits. Appearances are required on 2/11/20, but counsel may appear by telephone.

Prior tentative ruling as of 10/21/19. No tentative ruling on the merits. Appearances are required on 10/22/19, but counsel may appear by telephone.

Prior tentative ruling as of 8/27/19. The court has reviewed the explanation of counsel for plaintiffs dated 4/17/17, but filed on 8/26/19, requesting a continuance of the pretrial conference for about 45 days pending the outcome of the preliminary hearing in the state court criminal case against defendant. Appearances are required on 8/27/19 to discuss scheduling of further proceedings in light of the pending criminal case against defendant, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. No tentative ruling on the merits. Appearances are required on 6/25/19, but counsel may appear by telephone.

Prior tentative ruling as of 2/4/18. No tentative ruling on the merits. Appearances are required on 2/5/19, but counsel may appear by telephone.

Prior 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.

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

Tuesday, February 11, 2020

Hearing Room 1675

1:30 PM

CONT... Anthony Roy Martinez

Chapter 7

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.

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

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

Tuesday, February 11, 2020

Hearing Room 1675

1:30 PM

CONT... **Anthony Roy Martinez** **Chapter 7**
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
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Defendant(s):

Anthony Roy Martinez	Pro Se
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Plaintiff(s):

Lance Carter	Represented By Dana M Douglas
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Jean Holmes	Represented By Dana M Douglas
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Carriage Estates LLC	Represented By Dana M Douglas
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Adamantine Investments LLC	Represented By Dana M Douglas
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Sterling Holdings LLC	Represented By Dana M Douglas
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Lance Carter IRA 419990	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, February 11, 2020

Hearing Room 1675

1:30 PM

2:18-11475 Catherine Trinh

Chapter 11

Adv#: 2:19-01506 Trinh v. Second Generation, a California corporation

#5.00 Status conference re: Complaint for: (1) declaratory relief; (2) avoidance and recovery of preferential transfer; (3) recovery of property; (4) preservation of a preferential transfer; and (5) disallowance of claim

Docket 1

***** VACATED *** REASON: Cont'd from 2/11/20 to 3/24/20 at 1:30 p.m.
per stip & order entered on 1/10/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 3/24/20 at 1:30 p.m. No appearances are required on 2/11/20.

Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

Defendant(s):

Second Generation, a California

Pro Se

Plaintiff(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, February 11, 2020

Hearing Room 1675

1:30 PM

2:19-24198 Song Hak Kang

Chapter 7

#6.00 Order to show cause why the bankruptcy case should not be dismissed for failure to file proof that debtor has taken the required credit counseling course

Docket 1

***** VACATED *** REASON: Case dismissed for failure to file the
required documents per order entered on 1/29/20**

Tentative Ruling:

Off calendar. The order to show cause is moot because the case has been dismissed by order entered on 1/29/20. No appearances are required on 2/11/20.

Party Information

Debtor(s):

Song Hak Kang

Pro Se

Trustee(s):

John P Pringle (TR)

Pro Se

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

Tuesday, February 11, 2020

Hearing Room 1675

1:30 PM

2:20-10380 Ethel Lee Land

Chapter 7

#7.00 Order to show cause re debtor's failure to file certificate or show cause why the bankruptcy case should not be dismissed for failure to file proof of debtor has taken the required credit counseling course

Docket 5

***** VACATED *** REASON: Discharging order to show cause per order entered on 2/3/20-mb.**

Tentative Ruling:

Off calendar. Order to show cause has been discharged, and the hearing vacated, by order entered on 2/3/20. No appearances are required on 2/11/20.

Party Information

Debtor(s):

Ethel Lee Land

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, February 11, 2020

Hearing Room 1675

2:30 PM

2:19-11153 Precision AgriTechnologies LLC

Chapter 7

Adv#: 2:19-01443 Brad D. Krasnoff, Chapter 7 Trustee v. De Lage Landen, Financial Services,

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

Docket 18

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 optional on 2/11/20, but counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Precision AgriTechnologies LLC

Represented By
Ashley M McDow

Defendant(s):

De Lage Landen, Financial Services,

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, February 11, 2020

Hearing Room 1675

2:30 PM

2:19-15184 Edmond Zarookian

Chapter 7

#9.00 Hearing re: United States Trustee's motion to dismiss chapter 7 case with a refiling bar pursuant to 11 U.S.C. §707(b)(3)(A), or, in the alternative, to further extend time to file a complaint under §727

Docket 38

***** VACATED *** REASON: Cont'd from 2/11/20 to 3/3/20 at 2:30 p.m.
per stip & order entered on 1/23/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 3/3/20 at 2:30 p.m. No appearances are required on 2/11/20.

Party Information

Debtor(s):

Edmond Zarookian

Represented By
Sevan Gorginian

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 18, 2020

Hearing Room 1675

10:30 AM

2:19-23585 Michael W Alexander

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(Wilmington Savings Fund Society, FSB 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):

Michael W Alexander

Represented By
Julie J Villalobos

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 18, 2020

Hearing Room 1675

10:30 AM

2:20-10098 Philip Gallardo

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Bank of The West VS Debtor)

Docket 8

Tentative Ruling:

Having reviewed the moving, opposing and reply papers, the court is inclined to grant the motion for the reasons stated in the moving papers pursuant to 11 U.S.C. 362(d)(1). As argued in the reply, the stay terminated pursuant to 11 U.S.C. 362(h) because Debtor failed to list the vehicle in his statement of intention filed in his bankruptcy petition or otherwise within the time required by 11 U.S.C. 521(a)(2), stating that he would retain it, redeem it pursuant to 11 U.S.C. 722, and/or enter into a reaffirmation agreement applicable to the debt on it pursuant to 11 U.S.C. 524(c), and such failure constitutes cause under 11 U.S.C. 362(d)(1). The motion is granted under 11 U.S.C. 362(d)(2) because there is no equity in the subject property and the property is not needed for the effective reorganization of the debtor since this is a Chapter 7 liquidation case. Movant relies upon data from the National Automobile Dealers Association guide, which is permissible under Federal Rule of Evidence 803(17) under the hearsay exception for market quotations, tabulations, lists, directories, or other published compilations generally used and relied upon by the public or by persons in particular occupations, here, the automobile sales industry, In re Bouzek, 311 B.R. 239, 243 (Bankr. E.D. Wis. 2004); In re McElroy, 339 B.R. 185, 186-188 (Bankr. C.D. Ill. 2006); 2 Russell, Bankruptcy Evidence Manual, Section 803:30 (2019-2020 edition), but there is no competent evidence of valuation from debtor in opposing the motion. The valuation opinion in declaration of debtor's counsel is inadmissible because it is based on hearsay, the lack of personal knowledge and lack of qualification to render a valuation opinion. There is no showing that debtor's counsel is qualified to render a valuation opinion, that she has personal knowledge of valuation of the property and that her opinion is based on the hearsay opinion of a third party, Carmax. Debtor states that he will file a motion to redeem the property, but no such motion has been filed, nor has he stated when such motion will be filed. Overrule debtor's objection based on insufficient notice since the proof of service shows that debtor and his

**United States Bankruptcy Court
Central District of California
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Tuesday, February 18, 2020

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10:30 AM

CONT... Philip Gallardo

Chapter 7

counsel were served by mail 21 days in advance of the hearing, which is proper notice under LBR 9013-1(d)(2). Appearances are required on 2/18/20, but counsel may appear by telephone.

Party Information

Debtor(s):

Philip Gallardo

Represented By
Claudia C Osuna

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 18, 2020

Hearing Room 1675

10:30 AM

2:20-10279 Regina Marie McKoy

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(Chika Dillibe LLC VS Debtor)

Docket 8

Tentative Ruling:

No tentative ruling in light of debtor's opposition to the motion. Appearances are required on 2/28/20, but counsel may appear by telephone.

Party Information

Debtor(s):

Regina Marie McKoy

Represented By
Nancy Korompis

Movant(s):

Chika Dillibe, Trustee of the Dillibe

Represented By
Paul E Gold

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, February 18, 2020

Hearing Room 1675

10:30 AM

2:20-10600 Angelo Glorioso

Chapter 7

#4.00 Hearing re: Motion for order imposing a stay or continuing the automatic stay as the court deems appropriate

Docket 9

Tentative Ruling:

Grant debtor's motion to continue the automatic stay for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are required on 2/18/20, but counsel may appear by telephone.

Party Information

Debtor(s):

Angelo Glorioso

Represented By
Michael E Plotkin

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 18, 2020

Hearing Room 1675

1:30 PM

2:17-17972 Sion Javaheri

Chapter 7

#5.00 EVIDENTIARY HEARING RE: Chapter 7 trustee's motion for order disallowing proofs of claims (Claim No. 5-1) fr. 4/30/19, 12/11/19

Docket 51

Tentative Ruling:

Updated tentative ruling as of 2/14/20. Off calendar. Matter settled as reflected in the order granting of trustee's motion to approve compromise with creditor Shaun Toub. No appearances are required on 2/18/20.

Prior tentative ruling as of 12/10/19. No tentative ruling will be issued for the evidentiary hearing. Appearances are required on 12/11/19.

Prior tentative ruling as of 8/30/19. Set the remaining contested matter(s) for a pretrial conference since discovery is now closed. Appearances are required on 9/3/19, but counsel may appear by telephone.

Prior tentative ruling. Treat trustee's motion objecting to Claim 4-1 of American Express National Bank, as resolved since trustee has withdrawn his motion objecting to that claim. .

Treat trustee's motions objecting to Claim 2-1 of Amanollah Nayson and Claim 5-1 of Shaun Toub as contested matters under FRBP 9014 and schedule pretrial proceedings, including discovery and pretrial conference. Parties should meet and confer regarding pretrial schedule. While the court is inclined to sustain trustee's objections to the declaration of Shaun Toub, the court will allow the declarant to amend his declaration to lay a foundation of personal knowledge.

Grant trustee's motions objecting to Claim 8-1 of 515 South Figueroa Street and Claim 10-1 of LVNV Funding, LLC, etc., for the reasons stated in the moving papers and for lack of timely written opposition.

Appearances are required on 4/30/19, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, February 18, 2020

Hearing Room 1675

1:30 PM

CONT... Sion Javaheri

Chapter 7

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, February 18, 2020

Hearing Room 1675

1:30 PM

2:17-21018 Prototype Engineering & Manufacturing, Inc.

Chapter 7

Adv#: 2:19-01332 Avery v. Leya Technologies, LLC et al

- #6.00** Cont'd status conference re: Plaintiff's complaint for: (1) avoidance of actual fraudulent transfers; (2) avoidance of constructive fraudulent transfers; (3) recovery of avoided transfers; (4) breach of fiduciary duty; (5) recovery of prohibited distributions; (6) unjust enrichment; (7) aiding and abetting breach of fiduciary duty; and (8) substantive consolidation of certain defendants with the debtor's estate
fr. 11/5/19, 12/3/19, 12/10/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/17/20. The court has reviewed the joint status report filed on 2/11/20. No tentative ruling on the merits. Appearances are required on 2/18/20, but counsel may appear by telephone.

Prior tentative ruling as of 12/9/19. Off calendar. The court is preparing a written order on the motion to dismiss and will continue the status conference to another date. No appearances are required on 12/10/19.

Prior tentative ruling as of 12/2/19. No tentative ruling on the merits. Appearances are required on 12/3/19, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report, noting that pending motions of defendants to dismiss certain claims and motion of third parties to substitute or intervene were noticed for hearing on 11/12/19 at 2:30 p.m. and suggesting that the status conference be continued to that date or some date after. The court takes judicial notice that it had ordered that the hearing on the motion to dismiss as amended in light of the amended complaint was continued to 12/3/19 at 2:30 p.m. Accordingly, the court on its own motion continues the status conference to 12/3/19 at 2:30 p.m. to be conducted with the hearing on the motion to dismiss claims of the amended complaint now set for 12/3/19 at 2:30 p.m. because the ruling on the motion may have an impact on the status of the matter. No appearances are required on 11/5/19.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, February 18, 2020

Hearing Room 1675

1:30 PM

CONT... Prototype Engineering & Manufacturing, Inc.

Chapter 7

Debtor(s):

Prototype Engineering &

Represented By
Carol Chow

Defendant(s):

Leya Technologies, LLC

Pro Se

Bahram Bordbar

Pro Se

Malahat Bordbar

Pro Se

Sara Bordbar

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
Carmela Pagay

Trustee(s):

Wesley H Avery (TR)

Represented By
Timothy J Yoo
Carmela Pagay
Lindsey L Smith
Irving M Gross

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

Tuesday, February 18, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01474 Avery v. Voong

#7.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential, fraudulent, unauthorized postpetition transfers; and disallowance of claim fr. 1/7/20

Docket 1

***** VACATED *** REASON: Cont'd from 2/18/20 to 3/24/20 at 1:30 p.m.
per stip & order entered on 2/11/19-mb**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 3/24/20 at 1:30 p.m. No appearances are required on 2/18/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Kevin Voong

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, February 18, 2020

Hearing Room 1675

1:30 PM

2:17-24737 Advance Specialty Care, LLC

Chapter 11

Adv#: 2:19-01208 Philadelphia Indemnity Insurance Company v. Advance Specialty Care, LLC

#8.00 Cont'd status conference re: Adversary complaint for declaratory relief
fr. 9/10/19, 10/16/19, 12/17/19

Docket 1

***** VACATED *** REASON: Voluntarily dismissed per stip & order
entered on 2/11/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 2/14/20. Off calendar. The adversary proceeding is voluntarily dismissed and the status conference on 2/18/20 is vacated by stipulation and order. No appearances are required on 2/18/20.

Prior tentative ruling. Continued by stipulation and order to 2/18/20 at 1:30 p.m. No appearances are required on 12/17/19.

Party Information

Debtor(s):

Advance Specialty Care, LLC

Represented By
Raymond H. Aver

Defendant(s):

Advance Specialty Care, LLC

Pro Se

Plaintiff(s):

Philadelphia Indemnity Insurance

Represented By
Lane K Bogard
Lisa Darling-Alderton

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

Tuesday, February 18, 2020

Hearing Room 1675

1:30 PM

2:17-24993 Mary Katherine Cummins-Cobb

Chapter 7

Adv#: 2:18-01066 Khionidi v. Cummins-Cobb

#9.00 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. 11/26/19, 12/10/19, 12/17/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/14/20. No tentative ruling on the merits. Plaintiff to advise if he is proceeding with his remaining claims, and if so, the court will set a pretrial conference. Appearances are required on 2/18/20, 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 12/16/19. No tentative ruling on the merits. Appearances are required on 12/17/19, 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 12/9/19. No tentative ruling on the merits. Appearances are required on 12/10/19, 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 11/25/19. No tentative ruling on the merits. Appearances are required on 11/26/19, 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 10/7/19. No tentative ruling on the merits. Plaintiff to discuss the status of assignment of the judgment to Ms. Lollar or a motion for reconsideration on denial of plaintiff's motion for summary judgment or a renewed motion for summary judgment. The court intends to set a pretrial conference in about 90 days in January 2020 and then set the matter for trial

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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1:30 PM

CONT... **Mary Katherine Cummins-Cobb**

Chapter 7

at the pretrial conference. Appearances are required on 10/8/19, 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 7/29/19. No tentative ruling on the merits. Appearances are required on 7/30/19, 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 5/28/19. Counsel for plaintiff has informally advised the court by leaving a voicemail message that he is out of the country on vacation and requests a continuance of the status conference. Since this is not a proper request for a continuance, such request is denied. See Local Bankruptcy Rule 9013-1(m). Appearances are required on 5/29/19, 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 3/25/19. Appearances are required on 3/27/19, 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. 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

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, February 18, 2020

Hearing Room 1675

1:30 PM

CONT... Mary Katherine Cummins-Cobb

Chapter 7

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
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Courtroom 1675 Calendar**

Tuesday, February 18, 2020

Hearing Room 1675

1:30 PM

2:17-25817 Denise Ann Hatfield

Chapter 7

Adv#: 2:18-01434 Ehrenberg v. Hatfield

#10.00 Cont'd status conference re: Complaint for: (1) avoidance of transfer under 11 U.S.C. § 548(a)(1)(A); (2) Avoidance of transfer under CCC § 3439.04(a)(1); (3) Avoidance of transfer under 11 U.S.C. § 548(A)(1)(B); (4) Avoidance of transfer under CCC § 3439.04(a)(2); (5) Avoidance of transfer under CCC § 3439.05; (6) Recovery of transferred property or value thereof; (7) Preservation of avoided transfer; and (8) Declaratory relief
fr. 8/27/19, 10/22/19, 12/17/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/18/20. Off calendar. The court has reviewed the plaintiff's unilateral status report representing that the required settlement payment has been made and that the parties will be submitting a stipulation for dismissal of this adversary proceeding. The court on its own motion continues the status conference to 4/14/20 at 1:30 p.m., so that the parties can submit a dispositive stipulation and proposed order. No appearances are required on 2/18/20, but counsel may appear by telephone.

Prior tentative ruling as of 12/16/19. Off calendar. The court has reviewed plaintiff's unilateral status report stating that consummation of the parties' settlement is pending and requesting a 60 day continuance of the status conference. The court on its own motion continues the status conference to 2/18/20 at 1:30 p.m. No appearances are required on 12/17/19.

Prior tentative ruling as of 10/21/19. No tentative ruling on the merits. Appearances are required on 10/22/19, but counsel may appear by telephone.

Prior tentative ruling as of 8/26/19. The court has reviewed the joint pretrial stipulation and it appears to be in proper form to be approved, though the court notes that no objections have been interposed to any of the listed exhibits. The court thus presumes that there are no objections to the exhibits and all exhibits are to be received into evidence. However, if there are

**United States Bankruptcy Court
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Hearing Room 1675

1:30 PM

CONT... Denise Ann Hatfield

Chapter 7

objections to any of the exhibits, the joint pretrial statement will need to be amended. Appearances are required on 8/27/19 to discuss scheduling of trial.

Prior tentative ruling as of 5/24/19. The court has reviewed the joint status report. Set a pretrial conference for 8/13/19 at 2:00 p.m. and a joint pretrial stipulation must be filed by 8/6/19. Appearances are required on 5/28/19 to discuss scheduling and the status of mediation, but counsel may appear by telephone.

Prior tentative ruling. Set a discovery cutoff date of 4/30/19 and a further postdiscovery status conference for 5/28/19 at 1:30 p.m. with a joint status report due on 5/7/19. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 3/12/19 and complete mediation by 5/28/19. Appearances are required on 2/12/19, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Denise Ann Hatfield

Represented By
Michael E Clark

Defendant(s):

Thomas Carson Hatfield

Pro Se

Plaintiff(s):

Howard M. Ehrenberg

Represented By
Steven Werth

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Steven Werth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, February 18, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01248 Goodrich v. Blue District Distributors, LLC

#11.00 Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542
fr. 10/1/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/18/20. Off calendar. The court has reviewed the joint status report representing that the matter is being settled and the settlement is now being documented. The court on its own motion continues the status conference to 4/14/20 at 1:30 p.m., so that the parties can document their settlement and submit a dispositive stipulation and proposed order. No appearances are required on 2/18/20, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report, indicating that the parties had not had their initial meeting of counsel under LBR 7026-1. The parties should report if they have complied with LBR 7026-1. Set a discovery cutoff date of 1/31/20, order the matter to mediation with the parties selecting a mediator and an alternate by 10/31/19. Set a post-discovery status conference for 2/18/20 at 1:30 p.m. with a status report due to be filed on 2/11/20. Appearances are required on 10/1/19, but counsel may appear by telephone.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Blue District Distributors, LLC

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, February 18, 2020

Hearing Room 1675

1:30 PM

CONT... SOCALDEAL INC

Chapter 7

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, February 18, 2020

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. 3/26/19, 10/1/19, 12/17/19

Docket 36

***** VACATED *** REASON: Cont'd from 2/18/20 to 4/28/20 at 1:30 p.m.
per stip & order entered on 2/13/20-pp**

Tentative Ruling:

Updated tentative ruling as of 2/14/20. Off calendar. Continued by stipulation and order to 4/28/20 at 1:30 p.m. No appearances are required on 2/18/20.

Prior tentative ruling as of 12/16/19. Off calendar. Continued by stipulation and order to 2/18/20 at 1:30 p.m. No appearances are required on 12/17/19.

Revised tentative ruling as of 10/1/19. Off calendar. Continued by stipulation and order to 12/17/19 at 1:30 p.m. No appearances are required on 10/1/19.

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
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Tuesday, February 18, 2020

Hearing Room 1675

1:30 PM

2:18-17189 Seven-Bros Enterprises, Inc.

Chapter 7

#13.00 Cont'd hearing re: Motion of Salvato Law Offices to withdraw as counsel for debtor fr. 10/1/19, 12/17/19

Docket 82

***** VACATED *** REASON: Cont'd from 2/18/20 to 4/28/20 at 1:30 p.m.
per stip & order entered on 2/13/20-pp**

Tentative Ruling:

Updated tentative ruling as of 2/14/20. Off calendar. Continued by stipulation and order to 4/28/20 at 1:30 p.m. No appearances are required on 2/18/20.

Prior tentative ruling as of 12/16/19. Off calendar. Continued by stipulation and order to 2/18/20 at 1:30 p.m. No appearances are required on 12/17/19.

Revised tentative ruling as of 10/1/19. Off calendar. Continued by stipulation and order to 12/17/19 at 1:30 p.m. No appearances are required on 10/1/19.

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
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Tuesday, February 18, 2020

Hearing Room 1675

1:30 PM

2:19-10596 Robert David Katz

Chapter 11

Adv#: 2:19-01216 Katz et al v. American Express Company, a New York Corporation e

#14.00 Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers; (2) Recovery of Preferential Transfers; (3) Avoidance of Post-Petition Transfers; (4) Recovery of Post-Petition Transfers; (5) Preservation of Avoided Transfers; and (6) Disallowance of Claims
fr. 9/17/19, 10/15/19, 12/17/19

Docket 1

***** VACATED *** REASON: Cont'd from 2/18/20 to 4/28/20 at 1:30 p.m.
per stip & order entered on 1/29/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 4/28/20 at 1:30 p.m. No appearances are required on 2/18/20.

Party Information

Debtor(s):

Robert David Katz

Represented By
Victor A Sahn
Steven Werth
Cathy Ta

Defendant(s):

American Express Company, a New

Pro Se

American Express

Pro Se

American Express Travel Related

Pro Se

American Express National Bank, a

Pro Se

Joint Debtor(s):

Roslyn Soudry Katz

Represented By
Victor A Sahn
Steven Werth
Cathy Ta

**United States Bankruptcy Court
Central District of California
Los Angeles
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Hearing Room 1675

1:30 PM

CONT... Robert David Katz

Chapter 11

Plaintiff(s):

Robert David Katz

Represented By
Victor A Sahn

Roslyn Soudry Katz

Represented By
Victor A Sahn

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

Tuesday, February 18, 2020

Hearing Room 1675

1:30 PM

2:19-10596 Robert David Katz

Chapter 11

Adv#: 2:19-01217 Katz et al v. Bank of America Corporation, a Delaware corporatio

#15.00 Cont'd status conference re : Complaint for: (1) Avoidance of Preferential Transfers; (2) Recovery of Preferential Transfers; (3) Preservation of Avoided Transfers; and (4) Disallowance of Claims
fr. 9/17/19, 10/16/19, 12/17/19

Docket 1

***** VACATED *** REASON: Cont'd from 2/18/20 to 4/28/20 at 1:30 p.m.
per stip & order entered on 2/3/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 4/28/20 at 1:30 p.m. No appearances are required on 2/18/20.

Party Information

Debtor(s):

Robert David Katz

Represented By
Victor A Sahn
Steven Werth
Cathy Ta

Defendant(s):

Bank of America Corporation, a

Pro Se

BANK OF AMERICA

Pro Se

Bank of America, N.A., a National

Pro Se

Joint Debtor(s):

Roslyn Soudry Katz

Represented By
Victor A Sahn
Steven Werth
Cathy Ta

Plaintiff(s):

Robert David Katz

Represented By

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

Tuesday, February 18, 2020

Hearing Room 1675

1:30 PM

CONT...

Robert David Katz

Chapter 11

Victor A Sahn

Roslyn Soudry Katz

Represented By
Victor A Sahn

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

Tuesday, February 18, 2020

Hearing Room 1675

1:30 PM

2:19-11153 Precision AgriTechnologies LLC

Chapter 7

Adv#: 2:19-01443 Brad D. Krasnoff, Chapter 7 Trustee v. De Lage Landen, Financial Services,

#16.00 Cont'd status conference re: Trustee's complaint to avoid unperfected security interest fr. 12/17/19

Docket 1

***** VACATED *** REASON: Default judgment entered on 2/11/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 2/14/20. Off calendar. The status conference is moot based on the granting of trustee's motion for default judgment. No appearances are required on 2/18/20.

Revised tentative ruling as of 12/17/19. Off calendar. The court has reviewed plaintiff's unilateral status report stating that entry of default has been entered against defendant and he is filing a motion for default judgment to be heard within the next 30 to 45 days. The court on its own motion continues the status conference to 2/18/19 at 1:30 p.m. No appearances are required on 12/17/19.

Party Information

Debtor(s):

Precision AgriTechnologies LLC

Represented By
Ashley M McDow

Defendant(s):

De Lage Landen, Financial Services,

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, February 18, 2020

Hearing Room 1675

1:30 PM

CONT... Precision AgriTechnologies LLC

Chapter 7

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

Tuesday, February 18, 2020

Hearing Room 1675

1:30 PM

2:19-16082 Christopher A. Castanon

Chapter 7

Adv#: 2:19-01291 Avery (TR) v. Dominguez

#17.00 Cont'd status conference re: Complaint to: (1) avoid, recover, and preserve actual fraudulent transfers; (2) avoid recover, and preserve constructive fraudulent transfers; (3) avoid, recover, and preserve preferential transfers; and (4) for turnover of property of the estate
fr. 11/5/19, 11/19/19, 12/17/19

Docket 1

***** VACATED *** REASON: Notice of voluntary dismissal filed on 1/8/20-
mb.**

Tentative Ruling:

Off calendar. Motion voluntarily dismissed by notice filed on 1/8/20. No appearances are required on 2/18/20.

Party Information

Debtor(s):

Christopher A. Castanon

Represented By
Steven B Lever

Defendant(s):

Nayeli Dominguez

Pro Se

Plaintiff(s):

Wesley H. Avery (TR)

Represented By
Laila Masud
Chad V Haes

Trustee(s):

Wesley H Avery (TR)

Represented By
D Edward Hays
Chad V Haes
Laila Masud

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

Tuesday, February 18, 2020

Hearing Room 1675

2:00 PM

2:13-17409 Ayers Bath (U.S.A.), Co.,Ltd.

Chapter 7

#18.00 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. 6/25/19, 11/19/19, 12/17/19

Docket 118

***** VACATED *** REASON: Cont'd from 2/18/20 to 3/31/20 at 2:30 p.m.
per order entered on 2/7/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 2/14/20. Off calendar. Continued by stipulation and order to 3/31/20 at 2:30 p.m. No appearances are required on 2/17/19.

Prior tentative ruling as of 12/16/19. Off calendar. Continued by stipulation and order to 2/18/20 at 2:00 p.m. No appearances are required on 12/17/19.

Prior tentative ruling as of 6/24/19. No tentative ruling on the merits. Appearances are required on 6/25/19, but counsel may appear by telephone.

Prior 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

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

Tuesday, February 18, 2020

Hearing Room 1675

2:00 PM

CONT... Ayers Bath (U.S.A.), Co.,Ltd.

Anthony A Friedman

Chapter 7

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

Tuesday, February 18, 2020

Hearing Room 1675

2:30 PM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#19.00 Hearing re: Motion to dismiss case for under 11 U.S.C. § 1112(B)

Docket 123

***** VACATED *** REASON: Cont'd from 2/18/20 to 2/19/20 at 11:00 a.m.
per hearing held on 2/5/20-mb.**

Tentative Ruling:

Off calendar. The court based on the oral agreement of the appearing parties, the movant Acon and debtor, to continue the hearing to 2/19/20 at 11:00 a.m. to be conducted with the hearing on the debtor's disclosure statement on 2/19/20 at 11:00 a.m. Further, based on the subsequent written stipulation of the parties and order thereon, the hearing has been continued to 4/15/20 at 11:00 a.m. No appearances are required on 2/18/20.

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**

Tuesday, February 18, 2020

Hearing Room 1675

2:30 PM

2:19-19004 Jesus Rene Najjar Luna and Carla Clark

Chapter 7

#20.00 Hearing re: United States Trustee's motion seeking an order requiring debtor's counsel of record, Daniel King/The Attorney Group, to disgorge fees pursuant to 11 U.S.C. §329

Docket 17

***** VACATED *** REASON: Settled by stipulation per order entered on 1/23/20-mb.**

Tentative Ruling:

Off calendar. Motion resolved by stipulation and order entered on 1/23/20.
No appearances are required on 2/18/20.

Party Information

Debtor(s):

Jesus Rene Najjar Luna

Represented By
Daniel King

Joint Debtor(s):

Carla Clark

Represented By
Daniel King

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, February 19, 2020

Hearing Room 1675

10:45 AM

2:19-10119 David Lee

Chapter 11

#1.10 Cont'd hearing re: Motion for order authorizing debtor to obtain credit pursuant to § 364(c)(2) fr. 1/28/20, 1/31/20, 2/5/20

Docket 239

Tentative Ruling:

Updated tentative ruling as of 2/18/20. The court granted the motion by prior order authorizing use of cash collateral through 4/30/20. Appearances are optional on 2/19/20, but counsel may appear by telephone.

Prior tentative ruling as of 2/3/20. Appearances are required on 2/5/20, but counsel may appear by telephone.

Prior tentative ruling as of 1/29/20. Appearances are required on 1/31/20, but counsel may appear by telephone.

Prior tentative ruling. No tentative ruling will be issued for the motion heard on shortened notice. Creditor YCCS has filed an opposition to the motion. Appearances are required on 1/28/20, but counsel may appear by telephone.

Party Information

Debtor(s):

David Lee

Represented By
David A Tilem

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

Wednesday, February 19, 2020

Hearing Room 1675

10:45 AM

2:19-10119 David Lee

Chapter 11

#1.20 Cont'd hearing re: Motion in individual chapter 11 case for order authorizing debtor in possession to employ professional (other than general bankruptcy counsel) (LBR 2014-1): Isaac Vizcarra as Real Estate Broker fr. 2/5/20

Docket 235

Tentative Ruling:

Updated tentative ruling as of 2/18/20. No tentative ruling on the merits. Appearances are required on 2/19/20, but counsel may appear by telephone.

Prior tentative ruling as of 2/4/20. Appearances are required on 2/5/20, but counsel may appear by telephone.

Party Information

Debtor(s):

David Lee

Represented By
David A Tilem

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

Wednesday, February 19, 2020

Hearing Room 1675

10:45 AM

2:19-10119 David Lee

Chapter 11

#1.30 Cont'd hearing re: Motion for relief from stay
(YCCS, LLC VS Debtor)
fr. 1/28/20, 1/31/20, 2/5/20

Docket 108

Tentative Ruling:

Updated tentative ruling as of 2/18/20. No tentative ruling on the merits. Appearances are required on 2/19/20, but counsel may appear by telephone.

Prior tentative ruling as of 2/3/20. Appearances are required on 2/5/20, but counsel may appear by telephone.

Prior tentative ruling as of 1/29/20. Appearances are required on 1/31/20, but counsel may appear by telephone.

Prior tentative ruling as of 1/27/20. No tentative ruling in light of debtor's motion for approval of postpetition financing set for hearing on shortened notice on 1/28/20 at 11:00 a.m.

Prior tentative ruling as of 12/10/19. Movant filed declarations on 12/4/19 attesting that its loan was not paid through the refinancing escrow and the loan has matured. Debtor filed a declaration of his loan broker on 12/6/19 discussing the refinancing loan that did not go through and further efforts to obtain a refinancing loan for the subject property. As noted in a prior tentative ruling, past the maturity date, the limited case law on point favors movant's position that cause is shown for stay relief because the failure to pay off the loan by the maturity date is an incurable default which cannot be cured by any Chapter 11 plan because any plan that does not pay off the loan by the maturity date is an impermissible modification of movant's lien rights contrary to 11 U.S.C. 1123(b)(5). In re Crump, 529 B.R. 106 (Bankr. D. S.C. 2015); In re Sampson, 2018 WL 4786404 (Bankr. M.D. Fla. 2018); In re Clay, 204 B.R. 786 (Bankr. N.D. Ala. 1996); see also, Worthington v. General Motors Corp. (In re Claremont Acquisition Corp.), 113 F.3d 1029 (9th Cir. 1997). These cases note that the statutory exception in Chapter 13 cases to extend a due

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

Wednesday, February 19, 2020

Hearing Room 1675

10:45 AM

CONT...

David Lee

Chapter 11

date of a maturing loan on the debtor's principal residence does not apply to Chapter 11 cases, indicating that Congress did not mean to provide for such exception for Chapter 11 plans. While there may be grounds to grant stay relief since debtor cannot propose any plan to modify the rights of the movant as a holder of a claim secured only by a security interest in real property that is debtor's principal residence, if debtor can propose a nonplan takeout strategy to be consummated within a reasonable period of time to realize the value of equity in the property for the benefit of the estate (such as obtaining refinancing loan approval by a different lender within a reasonable period of time, say, 60-90 days), the court would deny the motion without prejudice so that debtor could obtain loan approval from a different lender within a reasonable period of time. While the loan has matured, it appears that the parties contemplated that debtor may not pay the loan on the maturity date and the parties' loan agreement as reflected in the promissory note (Exhibit 2 to Motion) provides that the existing lender can be compensated for any actual damages from debtor's failure to pay the loan at maturity based on the liquidated damages provisions in the loan agreement. Payment of the loan and secured claim during the pendency of this Chapter 11 case would not per se run afoul of 11 U.S.C. 1123(b)(5).

Appearances are required on 12/10/19, but counsel may appear by telephone.

Prior tentative ruling as of 11/11/19. Appearances are required on 11/14/19, but counsel may appear by telephone.

Prior tentative ruling as of 11/8/19. Off calendar. Continued by stipulation and order to 11/14/19 at 11:30 a.m. No appearances are required on 11/12/19.

Prior tentative ruling as of 11/7/19. Having read the supplemental briefs filed by the parties, at this time, the court is inclined to agree with debtor that the motion is premature because he still has time to cure and pay off movant's lien to secure the loan on debtor's principal residence before it matures on 12/1/19 and would deny the motion without prejudice or continue with movant's consent the hearing to after the maturity date because debtor seeks to recover the equity in the property for the estate. (The court notes that

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

Wednesday, February 19, 2020

Hearing Room 1675

10:45 AM

CONT...

David Lee

Chapter 11

debtor filed a motion for approval of postpetition financing to approve a new loan to take out the existing loans on the property on 11/7/19, which has been set for hearing on shortened notice on 11/14/19 at 11:30 a.m.) However, past the maturity date, the limited case law on point favors movant's position that cause is shown for stay relief because the failure to pay off the loan by the maturity date is an incurable default which cannot be cured by any Chapter 11 plan because any plan that does not pay off the loan by the maturity date is an impermissible modification of movant's lien rights contrary to 11 U.S.C. 1123(b)(5). In re Crump, 529 B.R. 106 (Bankr. D. S.C. 2015); In re Sampson, 2018 WL 4786404 (Bankr. M.D. Fla. 2018); In re Clay, 204 B.R. 786 (Bankr. N.D. Ala. 1996); see also, Worthington v. General Motors Corp. (In re Claremont Acquisition Corp.), 113 F.3d 1029 (9th Cir. 1997). These cases note that the statutory exception in Chapter 13 cases to extend a due date of a maturing loan on the debtor's principal residence does not apply to Chapter 11 cases, indicating that Congress did not mean to provide for such exception for Chapter 11 plans. Appearances are required on 11/12/19, but counsel may appear by telephone.

Prior tentative ruling. Deny stay relief motion for failure of creditor to meet its burden of proving lack of equity of debtor in collateral under 11 U.S.C. 362(g) (1). Creditor's moving papers on their face show that debtor has equity in the subject property and thus fail to demonstrate lack of equity under 11 U.S.C. 362(d)(2). Moreover, creditor's moving papers lack admissible evidence to demonstrate lack of equity to demonstrate lack of adequate protection under 11 U.S.C. 362(d)(1) because its valuation evidence is not supported by a declaration under penalty of perjury by a qualified valuation expert witness who has conducted a proper valuation analysis based on scientifically accepted valuation principles (i.e., sales comparables analysis) and only consists of hearsay opinions of unknown persons based on unknown analysis. Furthermore, creditor's moving papers on their face fail to demonstrate lack of adequate protection since they indicate a 28% equity cushion to adequately protect its lien interest in the subject property. In re Mellor, 734 F.2d 1396 (9th Cir. 1984). Finally, deny requests for extraordinary relief in paragraphs 8, 10 and 11 for lack of evidentiary and/or legal support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009). Appearances are required on 7/30/19, 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 19, 2020

Hearing Room 1675

10:45 AM

CONT... David Lee

Chapter 11

Debtor(s):

David Lee

Represented By
David A Tilem

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

Wednesday, February 19, 2020

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#1.00 Cont'd status conference re: Management of chapter 11 case
fr. 5/15/19, 6/26/19, 10/16/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/18/20. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 2/19/20, 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 10/15/19. No tentative ruling on the merits. Appearances are required on 10/16/19, 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 6/24/19. No tentative ruling on the merits. Appearances are required on 6/26/19, 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 19, 2020

Hearing Room 1675

11:00 AM

2:16-26583 Dalton Evonne Grant

Chapter 11

#2.00 Cont'd status conference re: Post confirmation of plan
fr. 3/27/19, 5/29/19, 10/2/19

Docket 68

Tentative Ruling:

Updated tentative ruling as of 2/18/20. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 2/19/20, but counsel may appear by telephone.

Prior tentative ruling as of 9/30/19. No tentative ruling on the merits. Appearances are required on 10/2/19, 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, February 19, 2020

Hearing Room 1675

11:00 AM

2:17-15033 Shapphire Resources, LLC

Chapter 11

#3.00 Cont'd status conference re: Management of chapter 11 case
fr. 11/6/19, 12/11/19, 1/15/20

Docket 1

***** VACATED *** REASON: Cont'd from 2/19/20 to 3/25/20 at 11:00 a.m.
per stip & order entered on 1/14/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 2/18/20. Off calendar. Continued by stipulation and order to 3/25/20 at 11:00 a.m. No appearances are required on 2/19/20.

Prior tentative ruling as of 8/26/19. No tentative ruling on the merits. Appearances are required on 8/28/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. No tentative ruling on the merits. Appearances are required on 6/26/19, 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, February 19, 2020

Hearing Room 1675

11:00 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#4.00 Hearing re: Disclosure statement

Docket 119

Tentative Ruling:

No tentative ruling as of 2/18/20. Appearances are required on 2/19/20, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures. 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, February 19, 2020

Hearing Room 1675

11:00 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#5.00 Cont'd status conference re: Management of chapter 11 case
fr. 8/28/19, 12/11/19, 1/8/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/18/20. No tentative ruling on the merits. Appearances are required on 2/19/20, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures.but counsel may appear by telephone.

Prior tentative ruling as of 1/6/20. No tentative ruling on the merits. Appearances are required on 1/8/20, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures.but counsel may appear by telephone.

Revised tentative ruling as of 12/01/19. The court has reviewed debtor's status report, and creditor Acon Development's unilateral status report stating that it intended to file a motion to dismiss. No tentative ruling on the merits. Appearances are required on 12/11/19 to discuss the status of debtor's reorganization efforts and filing of disclosure statement and plan, 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 19, 2020

Hearing Room 1675

11:00 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#5.10 Cont'd hearing re: Motion to dismiss case for under 11 U.S.C. § 1112(B)
fr. 2/18/20

Docket 123

***** VACATED *** REASON: Cont'd from 2/19/20 to 4/15/20 at 11:00 a.m.
per stip & order entered on 2/13/20-pp**

Tentative Ruling:

Off calendar. The court based on the oral agreement of the appearing parties, the movant Acon and debtor, to continue the hearing to 2/19/20 at 11:00 a.m. to be conducted with the hearing on the debtor's disclosure statement on 2/19/20 at 11:00 a.m. No appearances are required on 2/18/20.

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, February 19, 2020

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 use cash collateral through and including August 31, 2020

Docket 213

Tentative Ruling:

No tentative ruling as of 2/18/20. Appearances are required on 2/19/20, 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, February 19, 2020

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. 6/12/19, 9/18/19, 1/29/20

Docket 1

Tentative Ruling:

No tentative ruling as of 2/18/20. Appearances are required on 2/19/20, 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, February 19, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#8.00 Cont'd hearing re: Creditor Baldwin Sun Inc.'s motion to allow late filed claims pursuant to Federal Rules of Bankruptcy Procedure Rule 9006(b) fr. 8/21/19, 8/21/19, 10/23/19

Docket 310

***** VACATED *** REASON: Cont'd from 2/19/20 to 3/25/20 at 11:00 a.m.
per stip & order entered on 2/5/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 3/25/20 at 11:00 a.m. No appearances are required on 2/19/20.

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, February 19, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#9.00 Cont'd hearing re: Creditor Gia Phu Inc.'s motion to allow late filed claims pursuant to Federal Rules of Bankruptcy Procedure Rule 9006(b) fr. 7/17/19, 8/21/19, 10/23/19

Docket 312

***** VACATED *** REASON: Cont'd from 2/19/20 to 3/25/20 at 11:00 a.m.
per stip & order entered on 2/5/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 3/25/20 at 11:00 a.m. No appearances are required on 2/19/20.

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, February 19, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#10.00 Cont'd hearing re: Creditor Cong Ty May Vietmy's motion to allow late filed claims pursuant to Federal Rules of Bankruptcy Procedure Rule 9006(b) fr. 7/17/19, 8/21/19, 10/23/19

Docket 314

***** VACATED *** REASON: Cont'd from 2/19/20 to 3/25/20 at 11:00 a.m.
per stip & order entered on 2/5/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 3/25/20 at 11:00 a.m. No appearances are required on 2/19/20.

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, February 19, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#11.00 Cont'd hearing re: Creditor Shen-Shaoxing Tuchang Knitting Textile Co., Ltd.'s motion to allow late filed claims pursuant to Federal Rules of Bankruptcy Procedure Rule 9006(b) fr. 7/17/19, 8/21/19, 10/23/19

Docket 316

***** VACATED *** REASON: Cont'd from 2/19/20 to 3/25/20 at 11:00 a.m. per stip & order entered on 2/5/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 3/25/20 at 11:00 a.m. No appearances are required on 2/19/20.

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, February 19, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#12.00 Status conference re: Debtor's objection to proof of claim no. 6 filed by the Kody Branch of California Chapter 7 bankruptcy trustee fr. 6/5/19, 10/8/19

Docket 291

Tentative Ruling:

Updated tentative ruling as of 2/18/20. Off calendar. Continued by stipulation and order to 6/3/20 at 11:00 a.m. No appearances are required on 2/19/20.

Prior tentative ruling. Treat as a contested matter under FRBP 9014 since there are material issues of disputed fact. Parties should be prepared to discuss an appropriate schedule of pretrial and trial proceedings. Appearances are required on 6/5/19, 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, February 19, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#13.00 Cont'd hearing re: Disclosure statement
fr. 7/17/19, 8/21/19, 10/23/19

Docket 277

***** VACATED *** REASON: Cont'd from 2/19/20 to 3/25/20 at 11:00 a.m.
per stip & order entered on 2/5/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 3/25/20 at 11:00 a.m. No appearances are required on 2/19/20.

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, February 19, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#14.00 Status conference re: Post discovery
fr. 7/17/19, 10/23/19, 12/11/19

Docket 1

Tentative Ruling:

Off calendar. Continued by stipulation and order to 3/25/20 at 11:00 a.m. No appearances are required on 2/19/20.

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, February 19, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#15.00 Cont'd status conference re: Management of chapter 11 case
fr. 7/17/19, 8/21/19, 10/23/19

Docket 1

***** VACATED *** REASON: Cont'd from 2/19/20 to 3/25/20 at 11:00 a.m.
per stip & order entered on 2/5/20-mb**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 3/25/20 at 11:00 a.m. No
appearances are required on 2/19/20.

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, February 19, 2020

Hearing Room 1675

11:00 AM

2:18-11525 Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

#16.00 Cont'd status conference re: Motion for contempt
fr. 8/21/19, 10/2/19, 12/11/19

Docket 205

Tentative Ruling:

Updated tentative ruling as of 2/18/20. No tentative ruling on the merits. Appearances are required on 2/19/20 to discuss the status of related state court litigation and the pending motion to dismiss or convert filed by the United States Trustee, but counsel may appear by telephone.

Prior tentative ruling as of 12/9/19. No tentative ruling on the merits. Appearances are required on 12/11/19 to discuss the status of related state court litigation, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/19. No tentative ruling on the merits. Appearances are required on 10/2/19, but counsel may appear by telephone.

Prior tentative ruling as of 8/19/19. Appearances are required on 8/21/19, 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, February 19, 2020

Hearing Room 1675

11:00 AM

2:18-11525 Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

#17.00 Cont'd hearing re: Debtors' objection to amended claim no. 9 and motion to estimate claim for purposes of voting and distribution
fr. 8/21/19, 10/2/19, 12/11/19

Docket 103

Tentative Ruling:

Updated tentative ruling as of 2/18/20. No tentative ruling on the merits. Appearances are required on 2/19/20 to discuss the status of related state court litigation, but counsel may appear by telephone.

Prior tentative ruling as of 12/9/19. No tentative ruling on the merits. Appearances are required on 12/11/19 to discuss the status of related state court litigation, but counsel may appear by telephone.

Prior tentative ruling as of 9/30/19. No tentative ruling on the merits. Appearances are required on 10/2/19, but counsel may appear by telephone.

Prior tentative ruling as of 8/19/19. No tentative ruling on the merits. Appearances are required on 8/21/19, but counsel may appear by telephone.

Prior tentative ruling as of 5/6/19. Off calendar. Continued by stipulation and order to 8/21/19 at 11:00 a.m. No appearances are required on 5/8/19.

Prior tentative ruling as of 1/28/19. No tentative ruling on the merits. Appearances are required on 1/30/19, but counsel may appear by telephone.

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

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Central District of California
Los Angeles
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11:00 AM

CONT... **Shahriar Joseph Zargar and Shabnam Mesachi** **Chapter 11**

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
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
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11:00 AM

2:18-11525 Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

#18.00 Cont'd status conference re: Management of chapter 11 case
fr. 8/21/19, 10/2/19, 12/11/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/18/20. No tentative ruling on the merits. Appearances are required on 2/19/20 to discuss the status of related state court litigation, but counsel may appear by telephone.

Prior tentative ruling as of 12/9/19. No tentative ruling on the merits. Appearances are required on 12/11/19 to discuss the status of related state court litigation, but counsel may appear by telephone.

Prior tentative ruling as of 9/30/19. No tentative ruling on the merits. Appearances are required on 10/2/19, but counsel may appear by telephone.

Prior tentative ruling as of 8/19/19. No tentative ruling on the merits. Appearances are required on 8/21/19, but counsel may appear by telephone.

Revised tentative ruling as of 5/6/19. Off calendar. Continued by stipulation and order to 8/21/19 at 11:00 a.m. No appearances are required on 5/8/19.

Prior tentative ruling as of 1/28/19. No tentative ruling on the merits. Appearances are required on 1/30/19, 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. 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

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11:00 AM

CONT... **Shahriar Joseph Zargar and Shabnam Mesachi** Chapter 11

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
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Wednesday, February 19, 2020

Hearing Room 1675

11:00 AM

2:18-11525 Shahriar Joseph Zargar
Adv#: 2:18-01144 Shadsirat v. Zargar et al

Chapter 11

#19.00 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. 8/21/19, 10/2/19, 12/11/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/18/20. No tentative ruling on the merits. Appearances are required on 2/19/20 to discuss the status of related state court litigation, but counsel may appear by telephone.

Prior tentative ruling as of 12/9/19. No tentative ruling on the merits. Appearances are required on 12/11/19 to discuss the status of related state court litigation, but counsel may appear by telephone.

Prior tentative ruling as of 9/30/19. No tentative ruling on the merits. Appearances are required on 10/2/19, but counsel may appear by telephone.

Prior tentative ruling as of 8/19/19. No tentative ruling on the merits. Appearances are required on 8/21/19, but counsel may appear by telephone.

Revised tentative ruling as of 5/6/19. Off calendar. Continued by stipulation and order to 8/21/19 at 11:00 a.m. No appearances are required on 5/8/19.

Prior tentative ruling as of 1/28/19. No tentative ruling on the merits. Appearances are required on 1/30/19, but counsel may appear by telephone.

Prior tentative ruling as of 1/7/19. Off calendar. By order entered on 12/7/18, the status conference has been reset for 1/30/19 at 1:30 p.m. No appearances are required on 1/8/19.

Prior tentative ruling as of 7/16/18. Appearances are required on 7/17/18, but counsel may appear by telephone.

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Los Angeles
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Courtroom 1675 Calendar**

Wednesday, February 19, 2020

Hearing Room 1675

11:00 AM

CONT... Shahriar Joseph Zargar

Chapter 11

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**

Wednesday, February 19, 2020

Hearing Room 1675

11:00 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#19.10 Cont'd hearing re: Motion for entry of discharge pursuant to bankruptcy code §1141 fr. 2/5/20

Docket 151

Tentative Ruling:

Updated tentative ruling as of 2/18/20. Grant debtor's motion for entry of discharge for the reasons stated in the moving papers in light of its amendment of schedules. Appearances are required on 2/19/20, but counsel may appear by telephone.

Revised tentative ruling as of 2/4/20. Debtor has not shown substantial consummation as defined in the confirmed plan as payment of all allowed claims for entry of discharge under the plan. There is no showing of payment of the claims of Elin Khatchatourian and Erik Hovesejian c/o Tony Forberg, Esq., in the amounts of \$36,500 scheduled on Schedule E/F of the petition and not scheduled as contingent, unliquidated or disputed, which claims are deemed filed and allowed as indicated in the notice of claims bar date, ECF 76. Although the disclosure statement refers to such claims are possibly being disallowed, there has been no disallowance of such claims on claim objections. Appearances are required on 2/5/20, 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, February 19, 2020

Hearing Room 1675

11:00 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#19.20 Cont'd status conference re: Post confirmation of chapter 11 plan
fr. 8/14/19, 10/23/19, 2/5/20

Docket 82

Tentative Ruling:

Updated tentative ruling as of 2/18/20. No tentative ruling on the merits.
Appearances are required on 2/19/20, but counsel may appear by telephone.

Prior tentative ruling as of 2/3/20. No tentative ruling on the merits.
Appearances are required on 2/5/20, but counsel may appear by telephone.

Prior tentative ruling as of 10/21/19. No tentative ruling on the merits.
Appearances are required on 10/23/19, but counsel may appear by
telephone.

Prior tentative ruling as of 8/12/19. The court has reviewed debtor's status
report. No tentative ruling on the merits. Appearances are required on
8/13/19, but counsel may appear by telephone.

Prior tentative ruling as of 4/16/19. Appearances are required on 4/17/19, 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, February 19, 2020

Hearing Room 1675

11:30 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#20.00 Cont'd pretrial conference re: Debtor's motion to disallow claims of Cindy S. Magleby (claim numbers 13, 7, and 12) fr. 6/12/19, 8/14/19, 10/2/19

Docket 390

Tentative Ruling:

Updated tentative ruling as of 2/18/20. No tentative ruling on the merits. Appearances are required on 2/19/20, 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 9/30/19. No tentative ruling on the merits. Appearances are required on 10/2/19, 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 9/16/19. No tentative ruling on the merits. Appearances are required on 9/18/19, 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 8/13/19. No tentative ruling on the merits. Appearances are required on 8/14/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/10/19. No tentative ruling on the merits. Appearances are required on 6/12/19, 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 4/22/19. No tentative ruling on the merits. Appearances are required on 4/23/19, but counsel may appear by telephone.

Prior tentative ruling as of 4/16/19. No tentative ruling on the merits.

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Wednesday, February 19, 2020

Hearing Room 1675

11:30 AM

CONT... Curtis C. Magleby

Chapter 11

Appearances are required on 4/17/19, but counsel may appear by telephone.

Prior tentative ruling as of 4/9/19. No tentative ruling on the merits.
Appearances are required on 4/10/19, but counsel may appear by telephone.

Prior tentative ruling as of 3/11/19. No tentative ruling on the merits.
Appearances are required on 3/13/19, but counsel may appear by telephone.

Prior tentative ruling as of 3/4/19. No tentative ruling on the merits.
Appearances are required on 3/6/19, but counsel may appear by telephone.

Prior tentative ruling as of 2/25/19. In the papers filed by debtor and creditor Cindy Magleby in response to the court's order to show cause re: dismissal or conversion, although these parties did not agree on whether the case should be dismissed, they both indicated a willingness to have the family law court adjudicate the merits of Mrs. Magleby's claims as well as other family law issues with possible availability for trial in June 2019. There is also a possibility of further settlement efforts in the family law court as indicated by counsel for Mrs. Magleby as reflected in the transcript of hearing before that court in December 2019. The court encourages the parties to pursue their settlement discussions with the family law court and is amenable to having the family law court adjudicate the merits of Mrs. Magleby's claims if this is supported by the parties and the availability of that court to try these matters expeditiously. In that regard, the court would consider a proposed stipulated order clarifying stay relief to allow the family law court to try the claims and issues agreed upon by the parties, including the claims being objected to in this contested matter. Appearances are required on 2/27/19.

Prior 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

**United States Bankruptcy Court
Central District of California
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Wednesday, February 19, 2020

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11:30 AM

CONT... Curtis C. Magleby

Chapter 11

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. 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.

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Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, February 19, 2020

Hearing Room 1675

11:30 AM

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. 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
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Wednesday, February 19, 2020

Hearing Room 1675

11:30 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#21.00 Cont'd hearing re: Disclosure statement
fr. 6/12/19, 8/14/19, 10/2/19

Docket 174

Tentative Ruling:

Updated tentative ruling as of 2/18/20. No tentative ruling on the merits. Appearances are required on 2/19/20, 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 9/30/19. No tentative ruling on the merits. Appearances are required on 10/2/19, 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 9/16/19. No tentative ruling on the merits. Appearances are required on 9/18/19, 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 8/13/19. According to debtor, the hearing on the disclosure statement should be continued for him to make revisions. No tentative ruling on the merits. Appearances are required on 8/14/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/10/19. No tentative ruling on the merits. Appearances are required on 6/12/19, 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 4/22/19. No tentative ruling on the merits. Appearances are required on 4/23/19, but counsel may appear by telephone.

Prior tentative ruling as of 4/16/19. No tentative ruling on the merits.

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Wednesday, February 19, 2020

Hearing Room 1675

11:30 AM

CONT... Curtis C. Magleby

Chapter 11

Appearances are required on 4/17/19, but counsel may appear by telephone.

Prior tentative ruling as of 4/9/19. No tentative ruling on the merits.
Appearances are required on 4/10/19, but counsel may appear by telephone.

Prior tentative ruling as of 3/4/19. No tentative ruling on the merits.
Appearances are required on 3/6/19, but counsel may appear by telephone.

Prior tentative ruling as of 2/25/19. No tentative ruling on the merits.
Appearances are required on 2/27/19, but counsel may appear by telephone.

Prior tentative ruling as of 2/25/19. No tentative ruling on the merits.
Appearances are required on 2/27/19, but counsel may appear by telephone.

Prior 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.

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Hearing Room 1675

11:30 AM

CONT... Curtis C. Magleby

Chapter 11

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.

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, February 19, 2020

Hearing Room 1675

11:30 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, February 19, 2020

Hearing Room 1675

11:30 AM

2:16-15322 Curtis C. Magleby

Chapter 11

Adv#: 2:16-01259 Magleby v. Magleby

#22.00 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. 6/12/19, 8/14/19, 10/2/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/18/20. No tentative ruling on the merits. Appearances are required on 2/19/20, 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 9/30/19. No tentative ruling on the merits. Appearances are required on 10/2/19, 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 8/13/19. According to debtor, the status conference should be continued in light of the trial in the marital dissolution action scheduled in December 2019. No tentative ruling on the merits. Appearances are required on 8/14/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/10/19. No tentative ruling on the merits. Appearances are required on 6/12/19, 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 4/22/19. No tentative ruling on the merits. Appearances are required on 4/23/19, but counsel may appear by telephone.

Prior tentative ruling as of 4/16/19. No tentative ruling on the merits. Appearances are required on 4/17/19, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, February 19, 2020

Hearing Room 1675

11:30 AM

CONT... Curtis C. Magleby

Chapter 11

Prior tentative ruling as of 4/9/19. No tentative ruling on the merits. Appearances are required on 4/10/19, but counsel may appear by telephone.

Prior tentative ruling as of 3/4/19. No tentative ruling on the merits. Appearances are required on 3/6/19, but counsel may appear by telephone.

Prior tentative ruling as of 2/25/19. No tentative ruling on the merits. If debtor's motion to sell real property is granted, the court should probably set a final hearing on turnover to address issues relating to the sale unless the parties agreeing to conditions of turnover post-sale. Appearances are required on 2/27/19.

Prior 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.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, February 19, 2020

Hearing Room 1675

11:30 AM

CONT... Curtis C. Magleby

Chapter 11

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.

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.

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

Wednesday, February 19, 2020

Hearing Room 1675

11:30 AM

CONT... **Curtis C. Magleby**

Chapter 11

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, February 19, 2020

Hearing Room 1675

1:30 PM

2:18-11475 Catherine Trinh

Chapter 11

Adv#: 2:18-01209 Voong v. Trinh

#23.00 Cont'd status conference re: Adversary complaint for declaratory relief
fr. 8/20/19, 10/22/19, 12/17/19

Docket 1

***** VACATED *** REASON: Cont'd from 2/19/20 to 3/24/20 at 1:30 p.m.
per stip & order entered on 2/10/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 3/24/20 at 1:30 p.m. No
appearances are required on 2/19/20.

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**

Wednesday, February 26, 2020

Hearing Room 1675

11:00 AM

2:19-10119 David Lee

Chapter 11

#1.00 Cont'd hearing re: Motion for order authorizing debtor to obtain credit pursuant to § 364(c)(2)
fr. 1/31/20, 2/5/20, 2/19/20

Docket 239

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 2/18/20. The court granted the motion by prior order authorizing use of cash collateral through 4/30/20. Appearances are optional on 2/19/20, but counsel may appear by telephone.

Prior tentative ruling as of 2/3/20. Appearances are required on 2/5/20, but counsel may appear by telephone.

Prior tentative ruling as of 1/29/20. Appearances are required on 1/31/20, but counsel may appear by telephone.

Prior tentative ruling. No tentative ruling will be issued for the motion heard on shortened notice. Creditor YCCS has filed an opposition to the motion. Appearances are required on 1/28/20, but counsel may appear by telephone.

Party Information

Debtor(s):

David Lee

Represented By
David A Tilem

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

Wednesday, February 26, 2020

Hearing Room 1675

11:00 AM

2:19-10119 David Lee

Chapter 11

#2.00 Cont'd hearing re: Motion for relief from stay
(YCCS, LLC VS Debtor)
fr. 1/31/20, 2/5/20, 2/19/20

Docket 108

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 2/18/20. No tentative ruling on the merits.
Appearances are required on 2/19/20, but counsel may appear by telephone.

Prior tentative ruling as of 2/3/20. Appearances are required on 2/5/20, but
counsel may appear by telephone.

Prior tentative ruling as of 1/29/20. Appearances are required on 1/31/20, but
counsel may appear by telephone.

Prior tentative ruling as of 1/27/20. No tentative ruling in light of debtor's
motion for approval of postpetition financing set for hearing on shortened
notice on 1/28/20 at 11:00 a.m.

Prior tentative ruling as of 12/10/19. Movant filed declarations on 12/4/19
attesting that its loan was not paid through the refinancing escrow and the
loan has matured. Debtor filed a declaration of his loan broker on 12/6/19
discussing the refinancing loan that did not go through and further efforts to
obtain a refinancing loan for the subject property. As noted in a prior tentative
ruling, past the maturity date, the limited case law on point favors movant's
position that cause is shown for stay relief because the failure to pay off the
loan by the maturity date is an incurable default which cannot be cured by
any Chapter 11 plan because any plan that does not pay off the loan by the
maturity date is an impermissible modification of movant's lien rights contrary
to 11 U.S.C. 1123(b)(5). In re Crump, 529 B.R. 106 (Bankr. D. S.C. 2015); In
re Sampson, 2018 WL 4786404 (Bankr. M.D. Fla. 2018); In re Clay, 204 B.R.

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Central District of California
Los Angeles
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Wednesday, February 26, 2020

Hearing Room 1675

11:00 AM

CONT...

David Lee

Chapter 11

786 (Bankr. N.D. Ala. 1996); see also, *Worthington v. General Motors Corp.* (In re Claremont Acquisition Corp.), 113 F.3d 1029 (9th Cir. 1997). These cases note that the statutory exception in Chapter 13 cases to extend a due date of a maturing loan on the debtor's principal residence does not apply to Chapter 11 cases, indicating that Congress did not mean to provide for such exception for Chapter 11 plans. While there may be grounds to grant stay relief since debtor cannot propose any plan to modify the rights of the movant as a holder of a claim secured only by a security interest in real property that is debtor's principal residence, if debtor can propose a nonplan takeout strategy to be consummated within a reasonable period of time to realize the value of equity in the property for the benefit of the estate (such as obtaining refinancing loan approval by a different lender within a reasonable period of time, say, 60-90 days), the court would deny the motion without prejudice so that debtor could obtain loan approval from a different lender within a reasonable period of time. While the loan has matured, it appears that the parties contemplated that debtor may not pay the loan on the maturity date and the parties' loan agreement as reflected in the promissory note (Exhibit 2 to Motion) provides that the existing lender can be compensated for any actual damages from debtor's failure to pay the loan at maturity based on the liquidated damages provisions in the loan agreement. Payment of the loan and secured claim during the pendency of this Chapter 11 case would not per se run afoul of 11 U.S.C. 1123(b)(5).

Appearances are required on 12/10/19, but counsel may appear by telephone.

Prior tentative ruling as of 11/11/19. Appearances are required on 11/14/19, but counsel may appear by telephone.

Prior tentative ruling as of 11/8/19. Off calendar. Continued by stipulation and order to 11/14/19 at 11:30 a.m. No appearances are required on 11/12/19.

Prior tentative ruling as of 11/7/19. Having read the supplemental briefs filed by the parties, at this time, the court is inclined to agree with debtor that the motion is premature because he still has time to cure and pay off movant's lien to secure the loan on debtor's principal residence before it matures on

**United States Bankruptcy Court
Central District of California
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Wednesday, February 26, 2020

Hearing Room 1675

11:00 AM

CONT...

David Lee

Chapter 11

12/1/19 and would deny the motion without prejudice or continue with movant's consent the hearing to after the maturity date because debtor seeks to recover the equity in the property for the estate. (The court notes that debtor filed a motion for approval of postpetition financing to approve a new loan to take out the existing loans on the property on 11/7/19, which has been set for hearing on shortened notice on 11/14/19 at 11:30 a.m.) However, past the maturity date, the limited case law on point favors movant's position that cause is shown for stay relief because the failure to pay off the loan by the maturity date is an incurable default which cannot be cured by any Chapter 11 plan because any plan that does not pay off the loan by the maturity date is an impermissible modification of movant's lien rights contrary to 11 U.S.C. 1123(b)(5). In re Crump, 529 B.R. 106 (Bankr. D. S.C. 2015); In re Sampson, 2018 WL 4786404 (Bankr. M.D. Fla. 2018); In re Clay, 204 B.R. 786 (Bankr. N.D. Ala. 1996); see also, Worthington v. General Motors Corp. (In re Claremont Acquisition Corp.), 113 F.3d 1029 (9th Cir. 1997). These cases note that the statutory exception in Chapter 13 cases to extend a due date of a maturing loan on the debtor's principal residence does not apply to Chapter 11 cases, indicating that Congress did not mean to provide for such exception for Chapter 11 plans. Appearances are required on 11/12/19, but counsel may appear by telephone.

Prior tentative ruling. Deny stay relief motion for failure of creditor to meet its burden of proving lack of equity of debtor in collateral under 11 U.S.C. 362(g) (1). Creditor's moving papers on their face show that debtor has equity in the subject property and thus fail to demonstrate lack of equity under 11 U.S.C. 362(d)(2). Moreover, creditor's moving papers lack admissible evidence to demonstrate lack of equity to demonstrate lack of adequate protection under 11 U.S.C. 362(d)(1) because its valuation evidence is not supported by a declaration under penalty of perjury by a qualified valuation expert witness who has conducted a proper valuation analysis based on scientifically accepted valuation principles (i.e., sales comparables analysis) and only consists of hearsay opinions of unknown persons based on unknown analysis. Furthermore, creditor's moving papers on their face fail to demonstrate lack of adequate protection since they indicate a 28% equity cushion to adequately protect its lien interest in the subject property. In re Mellor, 734 F.2d 1396 (9th Cir. 1984). Finally, deny requests for extraordinary relief in paragraphs 8, 10 and 11 for lack of evidentiary and/or legal support.

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

Wednesday, February 26, 2020

Hearing Room 1675

11:00 AM

CONT... David Lee

Chapter 11

In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009). Appearances are required on 7/30/19, but counsel may appear by telephone.

Party Information

Debtor(s):

David Lee

Represented By
David A Tilem

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

Friday, February 28, 2020

Hearing Room 1675

10:00 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#1.00 EVIDENTIARY HEARING RE: Objection to claim number 4 by claimant US Bank National Association as Trustee for Velocity Commercial Capital Loan Trust 2014-1 fr. 7/31/19, 10/4/19, 1/17/20

Docket 115

***** VACATED *** REASON: Vacating evid hrg & re-set as status conference for 3/11/20 at 11:00 a.m. per order entered on 2/6/20-mb.**

Courtroom Deputy:

[Cont'd from 1/17/20 to 2/28/20 at 10:00 a.m. per stip & order entered on 1/16/20]

Tentative Ruling:

Updated tentative ruling as of 2/6/20. Off calendar. By order entered on 2/6/20, the court has vacated the evidentiary hearing on 2/28/20 and set a status conference on this contested matter for 3/11/20 at 11:00 a.m. No appearances are required on 2/28/20.

Prior tentative ruling as of 1/16/20. Off calendar. Continued by stipulation and order to 2/28/20 at 10:00 a.m. No appearances are required on 1/17/20.

Prior tentative ruling as of 11/13/19. Off calendar. Evidentiary hearing on 11/15/19 vacated by order entered on 11/13/19, and telephonic status conference is set for 11/26/19 at 1:30 p.m. to reschedule evidentiary hearing if the parties are unable to stipulate to a continued hearing date and time. No appearances are required on 11/15/19.

Revised tentative ruling as of 10/2/19. Off calendar. Continued by stipulation and order to 11/15/19 at 9:00 a.m. No appearances are required on 10/4/19.

Prior tentative ruling as of 7/29/19. No tentative ruling on the merits. Appearances are required on 7/31/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. No tentative ruling on the merits. Appearances are required on 6/26/19.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Friday, February 28, 2020

Hearing Room 1675

10:00 AM

CONT... Raesi Group, Inc

Chapter 11

Prior tentative ruling. Treat the motion objecting to claim as a contested matter under FRBP 9014 and set a schedule of pretrial proceedings, including discovery, since there are disputed issues of material fact. Parties should confer regarding an appropriate schedule if they can. Appearances are required on 5/8/19, but counsel may appear by telephone.

Creditor may be entitled to its claim for attorneys' fees under 11 U.S.C. 506(b) pursuant to contract based on its loan agreement secured by deed of trust, which were upheld as valid in the state court litigation. The four elements for a claim under 11 U.S.C. 506(b) are: (1) its claim is an allowed secured claim; (2) it is an oversecured creditor; (3) the fees it asserts are reasonable; and (4) the fees it asserts are provided for under an agreement under which such claim arose, or the fees are provided for under a state statute under which the creditor's claim arose. In re Astle, 364 B.R. 735, 741 (Bankr. D. Idaho 2007). The claim is an allowed secured claim based on the state court judgment, though the judgment is on appeal. The creditor is an oversecured creditor, which is not in dispute. The reasonableness of the fees it asserts is in material dispute. Creditor has only submitted redacted versions of its counsel's fee statements, which do not provide sufficient information for the court to review for reasonableness. Creditor must file unredacted versions, or submit unredacted versions in camera with a privilege log if creditor claims that the redacted matter is privileged. Debtor as the objecting party must carry its burden of explaining what in the fee statements are unreasonable or at least what would be reasonable under the circumstances. In re Koncicky, 2007 WL 7540997 (9th Cir. BAP 2007)(unpublished memorandum opinion) (citation omitted). Debtor has the responsibility to challenge the information and provide evidence controverting that produced by creditor. Id. Debtor has not met this burden. The fees that creditor asserts are provided by the loan agreement between it and its borrower providing for reasonable attorneys' fees if it incurs or pays to maintain, protect or enforce its rights under the loan agreement as secured by the deed of trust. Exhibits A and C to Favela Declaration. Case law in California allows such fees to be added to the balance under the promissory note secured by trust deed. Chacker v. JPMorgan Chase Bank, N.A., 27 Cal.App.5th 351, 356-358 (2018). However, there is no separate award of attorneys' fees authorized by statute, such as California Civil Code 1717 because debtor is not a signatory to the contract in

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Friday, February 28, 2020

Hearing Room 1675

10:00 AM

CONT... **Raeisi Group, Inc**

Chapter 11

the loan agreement and creditor has not otherwise shown that it would have been liable for the fees of the opposing party if the opposing party had prevailed. Asphalt Professionals, Inc. v. Davis (In re Davis), 595 B.R. 818, 837 (Bankr. C.D. Cal. 2019), citing, Dell Merk, Inc. v. Franzia, 132 Cal.App.4th 443, 441 (2005). Thus, creditor will need to submit fully unredacted copies of its fee statements to the court, and debtor will need to explain what in the fee statements are unreasonable and/or produce evidence showing that the fees are unreasonable.

Party Information

Debtor(s):

Raeisi Group, Inc

Represented By
Christopher P Walker

Movant(s):

Raeisi 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, March 3, 2020

Hearing Room 1675

10:30 AM

2:19-23938 Margaret Ramirez

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(JPMorgan Chase Bank, N.A. VS Debtor)

Docket 10

Tentative Ruling:

Movant's evidence of standing is not properly authenticated by a declaration under penalty of perjury by someone competent to testify, and thus, the evidence of standing is inadmissible (Exhibit 2, purported title information, lacks foundation as to what it is since it is not apparently a government record of title and is inadmissible hearsay). LBR 4001-1(a) and 9013-1(i); FRE 602, 801, 802, 803(8), 901, 902. Deny without prejudice, or continue for submission of admissible evidence of movant's standing. Appearances are required on 3/3/20, but counsel may appear by telephone.

Party Information

Debtor(s):

Margaret Ramirez

Represented By
Jonathan J. Lo

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 3, 2020

Hearing Room 1675

10:30 AM

2:19-24843 Abel Barrera

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Toyota 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):

Abel Barrera

Represented By
Juan Castillo-Onofre

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 3, 2020

Hearing Room 1675

10:30 AM

2:20-10153 Mohammad Yaseen

Chapter 7

#3.00 Cont'd hearing re: Motion for relief from stay
(JSJ Lee Property, 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):

Mohammad Yaseen

Represented By
James D. Hornbuckle

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 3, 2020

Hearing Room 1675

10:30 AM

2:20-10619 9017 CR DR, LLC, a California limited liability co

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(U.S. Bank National Association VS Debtor)

Docket 7

Tentative Ruling:

Grant movant's stay relief motion under 11 U.S.C. 362(d)(1) and (4) for the reasons stated in the moving papers and for lack of opposition by debtor on these grounds (i.e., no payments on the secured loan have been made for 69 months, transfer of the property was made by original borrower to debtor without consent of lender, filing of case was to hinder or delay lender). Deny request for stay relief under 11 U.S.C. 362(d)(2) because moving papers do not contain admissible evidence showing lack of equity for movant to meet its burden on lack of equity under 11 U.S.C. 362(g)(1) since evidence of value in trustee's sale guarantee lacks proper evidentiary foundation (i.e., inadmissible hearsay, lack of personal knowledge, lack of authentication). No tentative ruling as to request for annulment of stay. Appearances are required on 3/3/20, but counsel may appear by telephone.

Party Information

Debtor(s):

9017 CR DR, LLC, a California

Represented By
Benjamin Nachimson

Movant(s):

U.S. Bank National Association, not

Represented By
Erin M McCartney

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 3, 2020

Hearing Room 1675

11:00 AM

2:19-10119 David Lee

Chapter 11

#4.10 Cont'd hearing re: Motion for order authorizing debtor to obtain credit pursuant to § 364(c)(2) fr. 2/5/20, 2/19/20, 2/26/20

Docket 239

Tentative Ruling:

Updated tentative ruling as of 3/2/20. No tentative ruling on the merits. Appearances are required on 3/3/20 to discuss further proceedings regarding dispute over payoff of lien claim, but counsel may appear by telephone.

Prior tentative ruling as of 2/18/20. The court granted the motion by prior order authorizing use of cash collateral through 4/30/20. Appearances are optional on 2/19/20, but counsel may appear by telephone.

Prior tentative ruling as of 2/3/20. Appearances are required on 2/5/20, but counsel may appear by telephone.

Prior tentative ruling as of 1/29/20. Appearances are required on 1/31/20, but counsel may appear by telephone.

Prior tentative ruling. No tentative ruling will be issued for the motion heard on shortened notice. Creditor YCCS has filed an opposition to the motion. Appearances are required on 1/28/20, but counsel may appear by telephone.

Party Information

Debtor(s):

David Lee

Represented By
David A Tilem

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

Tuesday, March 3, 2020

Hearing Room 1675

11:00 AM

2:19-10119 David Lee

Chapter 11

#4.20 Cont'd hearing re: Motion for relief from stay
(YCCS, LLC VS Debtor)
fr. 2/5/20, 2/19/20, 2/26/20

Docket 108

Tentative Ruling:

Updated tentative ruling as of 3/2/20. No tentative ruling on the merits.
Appearances are required on 3/3/20, but counsel may appear by telephone.

Prior tentative ruling as of 2/18/20. No tentative ruling on the merits.
Appearances are required on 2/19/20, but counsel may appear by telephone.

Prior tentative ruling as of 2/3/20. Appearances are required on 2/5/20, but
counsel may appear by telephone.

Prior tentative ruling as of 1/29/20. Appearances are required on 1/31/20, but
counsel may appear by telephone.

Prior tentative ruling as of 1/27/20. No tentative ruling in light of debtor's
motion for approval of postpetition financing set for hearing on shortened
notice on 1/28/20 at 11:00 a.m.

Prior tentative ruling as of 12/10/19. Movant filed declarations on 12/4/19
attesting that its loan was not paid through the refinancing escrow and the
loan has matured. Debtor filed a declaration of his loan broker on 12/6/19
discussing the refinancing loan that did not go through and further efforts to
obtain a refinancing loan for the subject property. As noted in a prior tentative
ruling, past the maturity date, the limited case law on point favors movant's
position that cause is shown for stay relief because the failure to pay off the
loan by the maturity date is an incurable default which cannot be cured by
any Chapter 11 plan because any plan that does not pay off the loan by the
maturity date is an impermissible modification of movant's lien rights contrary
to 11 U.S.C. 1123(b)(5). In re Crump, 529 B.R. 106 (Bankr. D. S.C. 2015); In
re Sampson, 2018 WL 4786404 (Bankr. M.D. Fla. 2018); In re Clay, 204 B.R.

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Tuesday, March 3, 2020

Hearing Room 1675

11:00 AM

CONT... David Lee

Chapter 11

786 (Bankr. N.D. Ala. 1996); see also, *Worthington v. General Motors Corp.* (In re Claremont Acquisition Corp.), 113 F.3d 1029 (9th Cir. 1997). These cases note that the statutory exception in Chapter 13 cases to extend a due date of a maturing loan on the debtor's principal residence does not apply to Chapter 11 cases, indicating that Congress did not mean to provide for such exception for Chapter 11 plans. While there may be grounds to grant stay relief since debtor cannot propose any plan to modify the rights of the movant as a holder of a claim secured only by a security interest in real property that is debtor's principal residence, if debtor can propose a nonplan takeout strategy to be consummated within a reasonable period of time to realize the value of equity in the property for the benefit of the estate (such as obtaining refinancing loan approval by a different lender within a reasonable period of time, say, 60-90 days), the court would deny the motion without prejudice so that debtor could obtain loan approval from a different lender within a reasonable period of time. While the loan has matured, it appears that the parties contemplated that debtor may not pay the loan on the maturity date and the parties' loan agreement as reflected in the promissory note (Exhibit 2 to Motion) provides that the existing lender can be compensated for any actual damages from debtor's failure to pay the loan at maturity based on the liquidated damages provisions in the loan agreement. Payment of the loan and secured claim during the pendency of this Chapter 11 case would not per se run afoul of 11 U.S.C. 1123(b)(5).

Appearances are required on 12/10/19, but counsel may appear by telephone.

Prior tentative ruling as of 11/11/19. Appearances are required on 11/14/19, but counsel may appear by telephone.

Prior tentative ruling as of 11/8/19. Off calendar. Continued by stipulation and order to 11/14/19 at 11:30 a.m. No appearances are required on 11/12/19.

Prior tentative ruling as of 11/7/19. Having read the supplemental briefs filed by the parties, at this time, the court is inclined to agree with debtor that the motion is premature because he still has time to cure and pay off movant's lien to secure the loan on debtor's principal residence before it matures on

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11:00 AM

CONT... David Lee

Chapter 11

12/1/19 and would deny the motion without prejudice or continue with movant's consent the hearing to after the maturity date because debtor seeks to recover the equity in the property for the estate. (The court notes that debtor filed a motion for approval of postpetition financing to approve a new loan to take out the existing loans on the property on 11/7/19, which has been set for hearing on shortened notice on 11/14/19 at 11:30 a.m.) However, past the maturity date, the limited case law on point favors movant's position that cause is shown for stay relief because the failure to pay off the loan by the maturity date is an incurable default which cannot be cured by any Chapter 11 plan because any plan that does not pay off the loan by the maturity date is an impermissible modification of movant's lien rights contrary to 11 U.S.C. 1123(b)(5). In re Crump, 529 B.R. 106 (Bankr. D. S.C. 2015); In re Sampson, 2018 WL 4786404 (Bankr. M.D. Fla. 2018); In re Clay, 204 B.R. 786 (Bankr. N.D. Ala. 1996); see also, Worthington v. General Motors Corp. (In re Claremont Acquisition Corp.), 113 F.3d 1029 (9th Cir. 1997). These cases note that the statutory exception in Chapter 13 cases to extend a due date of a maturing loan on the debtor's principal residence does not apply to Chapter 11 cases, indicating that Congress did not mean to provide for such exception for Chapter 11 plans. Appearances are required on 11/12/19, but counsel may appear by telephone.

Prior tentative ruling. Deny stay relief motion for failure of creditor to meet its burden of proving lack of equity of debtor in collateral under 11 U.S.C. 362(g) (1). Creditor's moving papers on their face show that debtor has equity in the subject property and thus fail to demonstrate lack of equity under 11 U.S.C. 362(d)(2). Moreover, creditor's moving papers lack admissible evidence to demonstrate lack of equity to demonstrate lack of adequate protection under 11 U.S.C. 362(d)(1) because its valuation evidence is not supported by a declaration under penalty of perjury by a qualified valuation expert witness who has conducted a proper valuation analysis based on scientifically accepted valuation principles (i.e., sales comparables analysis) and only consists of hearsay opinions of unknown persons based on unknown analysis. Furthermore, creditor's moving papers on their face fail to demonstrate lack of adequate protection since they indicate a 28% equity cushion to adequately protect its lien interest in the subject property. In re Mellor, 734 F.2d 1396 (9th Cir. 1984). Finally, deny requests for extraordinary relief in paragraphs 8, 10 and 11 for lack of evidentiary and/or legal support.

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11:00 AM

CONT... David Lee

Chapter 11

In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009). Appearances are required on 7/30/19, but counsel may appear by telephone.

Party Information

Debtor(s):

David Lee

Represented By
David A Tilem

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

Tuesday, March 3, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01467 Avery v. Mercedes-Benz Financial Service USA LLC

#5.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential and fraudulent transfers fr. 1/7/20

Docket 1

***** VACATED *** REASON: Cont'd from 3/3/20 to 5/5/20 at 1:30 p.m. per stip & order entered on 2/13/20-pp**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 5/5/20 at 1:30 p.m. No appearances are required on 3/3/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Mercedes-Benz Financial Service

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, March 3, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01468 Avery v. Baldwin Sun Inc.

#6.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of fraudulent and transfers
fr. 1/7/20

Docket 1

***** VACATED *** REASON: Cont'd from 3/3/20 to 5/5/20 at 1:30 p.m. per sitp & order entered on 2/26/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 5/5/20 at 1:30 p.m. No appearances are required on 3/3/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Baldwin Sun Inc.

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, March 3, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01470 Avery v. JC Rack Systems

#7.00 Cont'd status conference re: Complaint for avoidance and recovery of fraudulent transfers fr. 1/7/20

Docket 1

***** VACATED *** REASON: Cont'd from 3/3/20 to 5/5/20 at 1:30 p.m. per stip & order entered on 2/26/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/2/20. Off calendar. Continued by stipulation and order to 5/5/20 at 1:30 p.m. No appearances are required on 3/3/20.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in order for plaintiff to file a request for entry of default against defendant and to file a motion for default judgment. The court on its own motion continues the status conference to 3/3/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

JC Rack Systems

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack

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Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

D Edward Hays
David Wood

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, March 3, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01473 Avery v. Sio, LLC

#8.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential and fraudulent transfers fr. 1/7/20

Docket 1

***** VACATED *** REASON: Cont'd from 3/3/20 p.m. to 5/5/20 at 1:30 p.m. per stip & order entered on 2/26/20**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 5/5/20 at 1:30 p.m. No appearances are required on 3/3/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Sio, LLC

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, March 3, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01479 Avery v. Trinh

#9.00 Cont'd status conference re: Complaint for (1) breach of fiduciary duty; (2) conversion; (3) misappropriation of trade secrets; (4) wrongful disparagement of debtor's assets; (5) avoidance, recovery, and preservation of preferential transfers; (6) avoidance, recovery, and preservation of preferential transfers; (6) avoidance, recovery, and preservation of actual fraudulent transfers; (7) avoidance, recovery, and preservation of constructive fraudulent transfers; (8) unauthorized post-petition transfers; and (9) turnover of property of the estate
fr. 1/7/20

Docket 1

***** VACATED *** REASON: Cont'd from 3/3/20 to 5/5/20 at 1:30 p.m. per
sitp & order entered on 2/18/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 5/5/20 at 1:30 p.m. No appearances are required on 3/3/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Tony Trinh

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack

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Central District of California
Los Angeles
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Tuesday, March 3, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

D Edward Hays
David Wood

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, March 3, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01435 Goodrich v. Amazon Loan Services

#10.00 Cont'd status conference re: Complaint for: 1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; 2) Recovery of property pursuant to 11 U.S.C. § 550; 3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; 4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and 5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 11/6/19, 1/7/20

Docket 1

***** VACATED *** REASON: Cont'd from 3/3/20 to 4/7/20 at 1:30 p.m. per stip & order entered on 1/21/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 4/7/20 at 1:30 p.m. No appearances are required on 3/3/20.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Amazon Loan Services

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

**United States Bankruptcy Court
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Los Angeles
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Tuesday, March 3, 2020

Hearing Room 1675

1:30 PM

2:18-22570 Ashley Latimer

Chapter 7

Adv#: 2:19-01284 Avery v. Latimer, III

- #11.00** Cont'd status conference re: Complaint: (1) To Avoid Preferences and Recover Fraudulently Transferred Property 11 U.S.C. §§ 544(b); 550; Federal Debt Collection Procedures Act of 1990 (FDCPA), 28 U.S.C. §§ 3001, et seq; (2) For Avoidance of Transfer Under 11 U.S.C. § 544(a)93); (3) For Recovery of Avoided Transfers Under 11 U.S.C. § 550; and (4) To Preserve Transfer for the Benefit of the Estate Pursuant to 11 U.S.C. § 551
fr. 11/5/19, 12/10/19, 1/7/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/2/20. The court has reviewed the joint status report. Set a discovery cutoff date of 5/31/20, a pretrial conference for 6/30/20 at 2:00 p.m., and a deadline for filing a joint pretrial stipulation of 6/23/20. Order the matter to mediation, set a deadline for selecting a mediator and an alternate mediator of 4/30/20 and a deadline for completing mediation of 6/30/20. Plaintiff to submit a proposed scheduling order. Appearances are required on 3/3/20, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures.

Prior tentative ruling as of 1/6/20. No tentative ruling on the merits. Appearances are required on 1/7/20, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures.

Prior tentative ruling as of 12/9/19. No tentative ruling on the merits. The court will discuss the status of plaintiff filing an amended complaint now that he has filed a motion for substantive consolidation. Appearances are required on 12/10/19, but counsel may appear by telephone..

Prior tentative ruling. The court has reviewed the joint status report. In light of the court's order of 10/24/19 granting defendants' motion to dismiss with leave to amend on certain conditions, the court on its own motion continues

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1:30 PM

CONT... Ashley Latimer

Chapter 7

the status conference to 12/10/19 at 1:30 p.m. The court waives the requirement of a written joint status report for the status conference on 12/10/19. No appearances are required on 11/5/19.

Party Information

Debtor(s):

Ashley Latimer

Represented By
Lane K Bogard

Defendant(s):

Robert Whitney Latimer II

Pro Se

Plaintiff(s):

Wesley H. Avery

Represented By
David M Goodrich

Trustee(s):

Wesley H Avery (TR)

Represented By
Ryan W Beall
David M Goodrich

**United States Bankruptcy Court
Central District of California
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Tuesday, March 3, 2020

Hearing Room 1675

1:30 PM

2:19-10596 Robert David Katz

Chapter 11

Adv#: 2:19-01215 Katz et al v. Capital One et al

#12.00 Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers; (2) Recovery of Preferential Transfers; (3) Avoidance of Post-Petition Transfers; (4) Recovery of Post-Petition Transfers; (5) Preservation of Avoided Transfers; and (6) Disallowance of Claims
fr. 9/17/19, 10/16/19

Docket 1

***** VACATED *** REASON: Cont'd from 3/3/20 to 5/5/20 at 1:30 p.m. per stip & order entered on 1/10/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/2/20. Off calendar. Continued by stipulation and order to 5/5/20 at 1:30 p.m. No appearances are required on 3/3/20.

Prior tentative ruling. The court has reviewed the joint status report. Set a discovery cutoff date of 1/31/20, and a post-discovery status conference on 3/3/20 at 1:30 p.m. with a joint status report due on 2/25/20. Appearances are required on 10/16/19, but counsel may appear by telephone. Plaintiffs to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Robert David Katz

Represented By
Victor A Sahn
Steven Werth
Cathy Ta

Defendant(s):

Capital One	Pro Se
Capital One, National Association	Pro Se
Capital One Bank (USA)	Pro Se
Capital One Bank (USA), National	Pro Se

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1:30 PM

CONT... Robert David Katz

Chapter 11

Joint Debtor(s):

Roslyn Soudry Katz

Represented By
Victor A Sahn
Steven Werth
Cathy Ta

Plaintiff(s):

Robert David Katz

Represented By
Victor A Sahn

Roslyn Soudry Katz

Represented By
Victor A Sahn

**United States Bankruptcy Court
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Tuesday, March 3, 2020

Hearing Room 1675

2:00 PM

2:17-24993 Mary Katherine Cummins-Cobb
Adv#: 2:18-01066 Khionidi v. Cummins-Cobb

Chapter 7

#12.10 Order to show cause why sanctions should not be imposed against plaintiff's attorney for failure to appear at the February 15, 2020 status conference

Docket 132

Tentative Ruling:

The court has considered the declaration of counsel for plaintiff in response to the order to show cause. Grant court's sua sponte motion for sanctions because the court has listened to the audio file of the prior hearing on the motion on 12/17/19 setting the status conference for 2/18/20, and not only did the court not say that it would take the status conference off calendar at the 12/17 hearing if the court issued its ruling on the partial summary judgment motion, the court had ordered counsel to submit a proposed scheduling order setting the 2/18/20 status conference, which counsel failed to do. The court orders sanctions against counsel for his failure not only to appear at the status conference on 2/18/20, but his failure to submit a proposed scheduling order, and that counsel must pay a remedial sanction to defendant to reimburse her for her CourtCall expenses for having to attend the status conference on 2/28/20, which she had appeared, and counsel had failed to appear without excuse. Appearances are required on 3/3/20, 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
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Defendant(s):

Mary Katherine Cummins-Cobb	Pro Se
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Plaintiff(s):

Konstantin Khionidi	Represented By Philip H Stillman
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2:00 PM

CONT... Mary Katherine Cummins-Cobb

Chapter 7

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
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Tuesday, March 3, 2020

Hearing Room 1675

2:00 PM

2:17-24993 Mary Katherine Cummins-Cobb

Chapter 7

Adv#: 2:18-01066 Khionidi v. Cummins-Cobb

#12.20 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. 12/10/19, 12/17/20, 2/18/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/2/20. No updated tentative ruling from 2/14/20. Appearances are required on 3/3/20, 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 2/14/20. No tentative ruling on the merits. Plaintiff to advise if he is proceeding with his remaining claims, and if so, the court will set a pretrial conference. Appearances are required on 2/18/20, 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 12/16/19. No tentative ruling on the merits. Appearances are required on 12/17/19, 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 12/9/19. No tentative ruling on the merits. Appearances are required on 12/10/19, 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 11/25/19. No tentative ruling on the merits. Appearances are required on 11/26/19, 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.

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2:00 PM

CONT... Mary Katherine Cummins-Cobb

Chapter 7

Prior tentative ruling as of 10/7/19. No tentative ruling on the merits. Plaintiff to discuss the status of assignment of the judgment to Ms. Lollar or a motion for reconsideration on denial of plaintiff's motion for summary judgment or a renewed motion for summary judgment. The court intends to set a pretrial conference in about 90 days in January 2020 and then set the matter for trial at the pretrial conference. Appearances are required on 10/8/19, 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 7/29/19. No tentative ruling on the merits. Appearances are required on 7/30/19, 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 5/28/19. Counsel for plaintiff has informally advised the court by leaving a voicemail message that he is out of the country on vacation and requests a continuance of the status conference. Since this is not a proper request for a continuance, such request is denied. See Local Bankruptcy Rule 9013-1(m). Appearances are required on 5/29/19, 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 3/25/19. Appearances are required on 3/27/19, 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. 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.

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Hearing Room 1675

2:00 PM

CONT... Mary Katherine Cummins-Cobb

Chapter 7

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
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Los Angeles
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Tuesday, March 3, 2020

Hearing Room 1675

2:30 PM

2:13-17901 CalCounties Title Nation Company

Chapter 7

#13.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Alfred H. Siegel, Chapter 7 Trustee]

Docket 177

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 3/3/20, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

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

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Courtroom 1675 Calendar**

Tuesday, March 3, 2020

Hearing Room 1675

2:30 PM

2:13-17901 CalCounties Title Nation Company

Chapter 7

#14.00 Hearing re: Application for fees and expenses
[Levene, Neale Bender, Yoo & Brill L.L.P., Attorney for Chapter 7 Trustee]

Docket 171

Tentative Ruling:

Approve final fee application of attorney for trustee for reasons stated in the application and for lack of timely written objection. Appearances are optional on 3/3/20, 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):

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, March 3, 2020

Hearing Room 1675

2:30 PM

2:13-17901 CalCounties Title Nation Company

Chapter 7

#15.00 Hearing re: Application for fees and expenses
[Grobstein Teeple LLP, Accountants for the Chapter 7 Trustee]

Docket 174

Tentative Ruling:

Approve final fee application of accountant for trustee for reasons stated in the application and for lack of timely written objection. Appearances are optional on 3/3/20, 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):

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, March 3, 2020

Hearing Room 1675

2:30 PM

2:16-14714 Oscar Zuniga and Lilia del Carmen Zuniga

Chapter 7

#16.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Timothy J. Yoo, Chapter 7 Trustee]

Docket 78

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 3/3/20, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Oscar Zuniga

Represented By
Alfonso Morales

Joint Debtor(s):

Lilia del Carmen Zuniga

Represented By
Alfonso Morales

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, March 3, 2020

Hearing Room 1675

2:30 PM

2:16-14714 Oscar Zuniga and Lilia del Carmen Zuniga

Chapter 7

#17.00 Hearing re: Application for fees and expenses
[Neale, Bender, Yoo & Brill L.L.P., Attorney for Chapter 7 Trustee]

Docket 75

Tentative Ruling:

Approve final fee application of attorney for trustee for reasons stated in the application and for lack of timely written objection. Appearances are optional on 3/3/20, 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):

Oscar Zuniga

Represented By
Alfonso Morales

Joint Debtor(s):

Lilia del Carmen Zuniga

Represented By
Alfonso Morales

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, March 3, 2020

Hearing Room 1675

2:30 PM

2:16-19670 Curtis Dion Travis

Chapter 7

#18.00 Hearing re: Motion to avoid lien with Interinsurance Exchange of the Automobile Club, an Interinsurance Exchange

Docket 43

***** VACATED *** REASON: Withdrawal of motion filed on 2/24/2020- st**

Tentative Ruling:

Off calendar. Motion withdrawn by noticed filed on 2/24/20. No appearances are required on 3/3/20.

Party Information

Debtor(s):

Curtis Dion Travis

Represented By
Allan S Williams

Movant(s):

Curtis Dion Travis

Represented By
Allan S 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**

Tuesday, March 3, 2020

Hearing Room 1675

2:30 PM

2:17-24590 Aaron Charles Schlem, Jr. and Elizabeth Ann Schlem

Chapter 7

#19.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[David M. Goodrich, 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 3/3/20, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Aaron Charles Schlem Jr.

Represented By
Jacqueline D Serrao

Joint Debtor(s):

Elizabeth Ann Schlem

Represented By
Jacqueline D Serrao

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 3, 2020

Hearing Room 1675

2:30 PM

2:17-24993 Mary Katherine Cummins-Cobb
Adv#: 2:18-01066 Khionidi v. Cummins-Cobb

Chapter 7

#20.00 Hearing re: Application to have the Appellate Filing Fee waived

Docket 122

***** VACATED *** REASON: Required fee paid on 2/14/20-mb.**

Tentative Ruling:

Off calendar. The hearing on the application is moot because the fee was paid. No appearances are necessary.

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, March 3, 2020

Hearing Room 1675

2:30 PM

2:18-13153 Eduardo Rojas Olguin

Chapter 7

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

Docket 43

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 3/3/20, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Eduardo Rojas Olguin

Represented By
Jeffrey N Wishman

Trustee(s):

Rosendo Gonzalez (TR)

Represented By
Laura E Nguyen

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

Tuesday, March 3, 2020

Hearing Room 1675

2:30 PM

2:19-13181 Serapio Venegas

Chapter 7

#22.00 Hearing re: Cross-motion to dismiss involuntary bankruptcy case

Docket 53

***** VACATED *** REASON: Cont'd from 3/3/20 to 3/10/20 at 2:30 p.m.
per stip & order entered on 2/27/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 3/10/20 at 2:30 p.m. No appearances are required on 3/3/20.

Party Information

Debtor(s):

Serapio Venegas

Pro Se

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, March 3, 2020

Hearing Room 1675

2:30 PM

2:19-13181 Serapio Venegas

Chapter 7

Adv#: 2:19-01481 Krasnoff Ch 7 Trustee v. Alliance United Insurance Company

#23.00 Cont'd hearing re: Chapter 7 trustee's motion to remand the adversary proceeding under 28 U.S.C. §1452(b), and Federal Rule of Bankruptcy Procedure 9027 fr. 2/4/20

Docket 16

***** VACATED *** REASON: Cont'd from 3/3/20 to 3/10/20 at 2:30 p.m. per stip & order entered on 2/26/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 3/10/20 at 2:30 p.m. No appearances are required on 3/3/20.

Party Information

Debtor(s):

Serapio Venegas

Pro Se

Defendant(s):

Alliance United Insurance Company

Represented By
Robert J Pfister
Charles A. Danaher
Theona Zhordania

Plaintiff(s):

Brad D Krasnoff Ch 7 Trustee

Represented By
Eric P Israel
Sonia Singh
Steven Schuetze
Kristin Hobbs
Ricardo Echeverria

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, March 3, 2020

Hearing Room 1675

2:30 PM

CONT... Serapio Venegas

Chapter 7

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

Tuesday, March 3, 2020

Hearing Room 1675

2:30 PM

2:19-13181 Serapio Venegas

Chapter 7

Adv#: 2:19-01481 Krasnoff Ch 7 Trustee v. Alliance United Insurance Company

#24.00 Cont'd status conference re: Removal of civil action to federal bankruptcy court
fr. 12/17/19, 2/4/20

Docket 1

***** VACATED *** REASON: Cont'd from 3/3/20 to 3/10/20 at 2:30 p.m.
per stip & order entered on 2/26/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/2/20. Off calendar. Continued by stipulation and order to 3/10/20 at 2:30 p.m. No appearances are required on 3/3/20.

Prior tentative ruling. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 12/17/19.

Party Information

Debtor(s):

Serapio Venegas

Pro Se

Defendant(s):

Alliance United Insurance Company

Represented By
Robert J Pfister
Charles A. Danaher
Theona Zhordania

Plaintiff(s):

Brad D Krasnoff Ch 7 Trustee

Represented By
Eric P Israel
Sonia Singh
Steven Schuetze
Kristin Hobbs
Ricardo Echeverria

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

Tuesday, March 3, 2020

Hearing Room 1675

2:30 PM

CONT... Serapio Venegas

Chapter 7

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, March 3, 2020

Hearing Room 1675

2:30 PM

2:19-15184 Edmond Zarookian

Chapter 7

#25.00 Cont'd hearing re: United States Trustee's motion to dismiss chapter 7 case with a refiling bar pursuant to 11 U.S.C. §707(b)(3)(A), or, in the alternative, to further extend time to file a complaint under §727 fr. 2/11/20

Docket 38

Tentative Ruling:

Treat the motion of United States Trustee to dismiss with a one year refiling bar on grounds of debtor's bad faith as a contested matter under FRBP 9014 since assessment of debtor's good or bad faith is dependent on credibility determinations of debtor's testimony in his declaration and the supporting evidence of the United States Trustee, or alternatively, deny the motion to dismiss without prejudice, and allow United States Trustee an extension of 60 days from the date of the hearing to file a complaint to deny discharge under 11 U.S.C. 727 for cause shown under FRBP 4004(b) in that the United States Trustee has diligently pursued his investigation of possible actions against debtor before the deadline of 1/6/20 and timely filed the motion to extend as shown by his office's examination of debtor at the 11 U.S.C. 341(a) meetings of creditors on 6/4/19, 9/24/19 and 10/21/19 as well as extensive forensic examination of debtor's credit card transactions and elected to seek dismissal first rather than filing an adversary proceeding to deny discharge, which would have been moot if the dismissal had been granted, and that a short extension of time of 60 days for the preparation of a complaint to deny discharge would not prejudice debtor or unduly delay the administration of this case. *In re Jahangiri*, No. 18-31609-dwh7, 2018 WL 5255216 (Bankr. D. Or. 2018) (collecting cases). Appearances are required on 3/3/20, but counsel may appear by telephone.

Party Information

Debtor(s):

Edmond Zarookian

Represented By
Sevan Gorginian

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

Tuesday, March 3, 2020

Hearing Room 1675

2:30 PM

CONT... Edmond Zarookian

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, March 3, 2020

Hearing Room 1675

2:30 PM

2:19-19406 Thomas Lee Lansford

Chapter 7

#26.00 Hearing re: Trustee's motion for order vacating debtor's discharge and for dismissal of case

Docket 17

Tentative Ruling:

The motion in this case presents the same or similar circumstances as presented by movant's motion in *In re Cano*, No. 2:19-bk-13957-RK Chapter 7. Movant is to address why the ruling should not be the same as in *In re Cano*, No. 2:19-bk-13957-RK Chapter 7 (order denying motion of Chapter 7 Trustee for order vacating debtor's discharge and for dismissal of case, filed and entered on 11/20/20). Appearances are required on 3/3/20, 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):

Thomas Lee Lansford

Represented By
Harriet L. Goldfarb

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, March 3, 2020

Hearing Room 1675

2:30 PM

2:20-11613 Latasha Tywla Norris

Chapter 7

#27.00 Hearing re: Application to have the Chapter 7 filing fee waived

Docket 0

***** VACATED *** REASON: Fee waiver granted per order entered on
2/18/20-mb.**

Tentative Ruling:

Off calendar. The hearing on the application is moot because the court granted the application on the papers. No appearances are necessary.

Party Information

Debtor(s):

Latasha Tywla Norris

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**

Wednesday, March 4, 2020

Hearing Room 1675

11:00 AM

2:12-15626 Forbco Sizzler Partners, L.P.

Chapter 11

#1.00 Cont'd status conference re: Post confirmation of plan
fr. 5/29/19, 12/4/19, 1/8/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/3/20. No tentative ruling on the merits.
Appearances are required on 3/4/20, but counsel may appear by telephone.

Prior tentative ruling as of 1/6/20. No tentative ruling on the merits.
Appearances are required on 1/8/20, but counsel may appear by telephone.

Prior tentative ruling as of 12/2/19. No tentative ruling on the merits.
Appearances are required on 12/4/19, but counsel may appear by telephone.

Prior tentative ruling as of 5/28/19. The court has reviewed debtor's status
report. No tentative ruling on the merits. Appearances are required on
5/29/19, 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, March 4, 2020

Hearing Room 1675

11:00 AM

2:13-28671 Elbiali Ismail Osman

Chapter 11

#2.00 Hearing re: California Department of Tax and Fee Administration's motion to dismiss chapter 11 bankruptcy case for cause under 11 U.S.C. 1112 or in the alternative to convert case to chapter 7

Docket 311

Tentative Ruling:

The moving papers are deficient in that the original and amended proofs of service do not list all creditors as shown on the claims register and the creditors mailing matrix who or which are required to be served pursuant to FRBP 2002(a)(4) and 9013. Proper service will need to be shown in order for the court to consider the motion on the merits. Appearances are required on 3/4/20, 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, March 4, 2020

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#3.00 Cont'd status conference re: Motion for order disallowing proof of claim no. 7-1 filed by Ghazer Zehnaly fr. 4/6/16, 5/29/19, 6/25/19

Docket 343

Tentative Ruling:

Updated tentative ruling as of 3/3/20. The court has reviewed creditor Zehnaly's unilateral status report for this contested matter. No tentative ruling on the merits. Appearances are required on 3/4/20 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. Appearances are required on 6/25/19 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 5/28/19. No tentative ruling on the merits. Appearances are required on 5/29/19 to discuss scheduling of further proceedings, including discovery and trial.

Prior tentative ruling as of 5/2/16. Appearances are required on 5/4/16, but counsel may appear by telephone.

Prior tentative ruling as of 4/4/16. The court has reviewed debtor's unilateral status report. No tentative ruling on the merits. Appearances are required on 4/5/16 to discuss status of mediation and scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 2/22/16. The court has reviewed debtor's unilateral status report. No tentative ruling on the merits. Appearances are required on 2/24/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/28/15. No tentative ruling on the merits. Appearances are required on 9/30/15 to discuss scheduling of pretrial and

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, March 4, 2020

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC
trial proceedings.

Chapter 11

Prior tentative ruling. Treat as a contested matter under FRBP 9014 and set schedule of pretrial and trial proceedings. Parties should advise the court on their pretrial and trial needs. The court also notes that claimant failed to provide a judge's copy of the opposition which have separately tabbed exhibits as required by Local Bankruptcy 5005-2(d) and will have to provide such copy.

Debtor's evidentiary objection to exhibits in support of the opposition appears to have merit, and while the court might sustain the objection, the court will afford an opportunity to claimant to support declarations to authenticate the exhibits as well as to provide the declaration of claimant under penalty of perjury to support the factual assertions in the opposition. The court is not satisfied that the declaration of counsel in support of the opposition is sufficient due to lack of foundation of the factual representations made therein. The court may continue the hearing for claimant to remedy these procedural deficiencies, or just set a litigation schedule. The court is not inclined to sustain the objection of debtor at this time without giving claimant an opportunity to cure the procedural deficiencies of the opposition in light of the amount of controversy and the facial validity of the arguments in the opposition supported by the exhibits (i.e., there appears to be a bona fide dispute about whether debtor was entitled to retain claimant's \$500,000 deposit if there were omissions of material fact regarding marketable title to the subject real property as alleged in the opposition. Appearances are required on 9/16/15.

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, March 4, 2020

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, March 4, 2020

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, 10/9/19, 11/20/19, 12/4/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/3/20. No tentative ruling on the merits.
Appearances are required on 3/4/20, but counsel may appear by telephone.

Prior tentative ruling as of 12/2/19. No tentative ruling on the merits.
Appearances are required on 12/4/19 to discuss status of delinquent quarterly
operating reports, but counsel may appear by telephone.

Prior tentative ruling as of 11/18/19. Appearances are required on 11/20/19,
but counsel may appear by telephone.

Prior tentative ruling as of 10/7/19. No tentative ruling on the merits.
Appearances are required on 10/8/19, but counsel may appear by telephone.

Prior tentative ruling as of 7/29/19. No tentative ruling on the merits.
Appearances are required on 7/31/19, 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, March 4, 2020

Hearing Room 1675

11:00 AM

2:18-12224 Raeisi Group, Inc

Chapter 11

#5.00 Order to show cause why the court should not deny debtor's objection to the claim of U.S. Bank for lack of prosecution for failure to be represented by counsel as required by Local Bankruptcy Rule 9011-2

Docket 172

Tentative Ruling:

Updated tentative ruling as of 3/3/20. No tentative ruling on the merits.
Appearances are required on 3/4/20, but counsel may appear by telephone.

Party Information

Debtor(s):

Raeisi 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, March 4, 2020

Hearing Room 1675

11:00 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#6.00 Hearing re: Motion of Law Office of Christopher P. Walker, P.C. Authorizing withdrawal as counsel for chapter 11 debtor Raesi Group, Inc.

Docket 169

Tentative Ruling:

The court is inclined to grant the motion to withdraw now since there is a filed notice of substitution of attorney filed for Debtor. Appearances are required on 3/4/20, 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, March 4, 2020

Hearing Room 1675

11:00 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#6.10 Cont'd status conference re: Post confirmation of chapter 11 plan
fr. 10/23/19, 2/5/20, 2/19/20

Docket 82

Tentative Ruling:

Updated tentative ruling as of 3/3/20. No tentative ruling on the merits.
Appearances are required on 3/4/20, but counsel may appear by telephone.

Prior tentative ruling as of 2/18/20. No tentative ruling on the merits.
Appearances are required on 2/19/20, but counsel may appear by telephone.

Prior tentative ruling as of 2/3/20. No tentative ruling on the merits.
Appearances are required on 2/5/20, but counsel may appear by telephone.

Prior tentative ruling as of 10/21/19. No tentative ruling on the merits.
Appearances are required on 10/23/19, but counsel may appear by
telephone.

Prior tentative ruling as of 8/12/19. The court has reviewed debtor's status
report. No tentative ruling on the merits. Appearances are required on
8/13/19, but counsel may appear by telephone.

Prior tentative ruling as of 4/16/19. Appearances are required on 4/17/19, 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, March 4, 2020

Hearing Room 1675

11:00 AM

2:18-21789 Samuel Marquez

Chapter 11

#7.00 Hearing re: Motion to extend deadline for filing plan of reorganization and disclosure statement

Docket 94

Tentative Ruling:

No tentative ruling as of 3/3/20. Appearances are required on 3/4/20, 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, March 4, 2020

Hearing Room 1675

11:00 AM

2:18-21789 Samuel Marquez

Chapter 11

#8.00 Cont'd status conference re: Management of chapter 11 case
fr. 10/16/19, 1/29/20, 2/5/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/3/20. No tentative ruling on the merits.
Appearances are required on 3/4/20, but counsel may appear by telephone.

Prior tentative ruling as of 2/3/20. No tentative ruling on the merits.
Appearances are required on 2/5/20, but counsel may appear by telephone.

Prior tentative ruling as of 1/27/20. The United States Trustee filed a notice
of delinquency in filing United States Trustee reporting requirements
regarding insurance coverage on debtor's motor vehicle. No tentative ruling
on the merits. Appearances are required on 1/29/20, but counsel may appear
by telephone.

Prior tentative ruling as of 10/15/19. No tentative ruling on the merits.
Appearances are required on 10/16/19, but counsel may appear by
telephone.

Prior tentative ruling as of 9/9/19. No tentative ruling on the merits.
Appearances are required on 9/11/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. No tentative ruling on the merits.
Appearances are required on 6/26/19, but counsel may appear by telephone.

Prior tentative ruling as of 3/25/19. No tentative ruling on the merits.
Appearances are required on 3/27/19, but counsel may appear by telephone.

Party Information

Debtor(s):

Samuel Marquez

Represented By

**United States Bankruptcy Court
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Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, March 4, 2020

Hearing Room 1675

11:00 AM

CONT...

Samuel Marquez

Onyinye N Anyama

Chapter 11

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

Wednesday, March 4, 2020

Hearing Room 1675

11:00 AM

2:19-10297 Roger Timothy Ruiz

Chapter 11

#9.00 Hearing re: Confirmation of plan
fr. 11/6/19, 12/4/19

Docket 88

Tentative Ruling:

Updated tentative ruling as of 3/3/20. Although the plan is admittedly unconfirmable for lack of an accepting impaired class of creditors pursuant to 11 U.S.C. 1129(a)(10), the court is inclined to grant debtor's request to continue the hearing on plan confirmation to allow some reasonable time to allow debtor to negotiate a settlement with the major dissenting creditor to change its vote to make the nonaccepting class an accepting class. Appearances are required on 3/4/20, but counsel may appear by telephone.

Prior tentative ruling as of 12/2/19. Approve disclosure statement as containing adequate information and for lack of timely written opposition. Appearances are required on 12/4/19 to discuss scheduling of plan confirmation proceedings, but counsel may appear by telephone.

Prior tentative ruling. Debtor did not give the required 42 days notice of hearing on his motion for approval of the disclosure statement pursuant to LBR 3017-1(a), and the motion will have to be renoticed to comply with the rule. Counsel has informally indicated to the court that Debtor will renotify the motion to comply with the rule. Appearances are required on 11/6/19, but counsel may appear by telephone.

Party Information

Debtor(s):

Roger Timothy Ruiz

Represented By
Marcus G Tiggs

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

Wednesday, March 4, 2020

Hearing Room 1675

11:00 AM

2:19-10297 Roger Timothy Ruiz

Chapter 11

#10.00 Cont'd status conference re: Management of chapter 11 case
fr. 8/14/19, 11/13/19, 12/4/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/3/20. No tentative ruling on the merits.
Appearances are required on 3/4/20, but counsel may appear by telephone.

Prior tentative ruling as of 12/2/19. No tentative ruling on the merits.
Appearances are required on 12/4/19, but counsel may appear by telephone.

Prior tentative ruling as of 11/11/19. Off calendar. The court has reviewed
debtor's status report. The court on its own motion continues the status
conference to 12/4/19 at 11:00 a.m. to be conducted with the rescheduled
hearing on the motion to approve the disclosure statement. No appearances
are required on 11/13/19.

Prior tentative ruling as of 8/13/19. The court has reviewed debtor's status
report. No tentative ruling on the merits. Appearances are required on
8/14/19, 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 3/6/19, but
counsel may appear by telephone.

Party Information

Debtor(s):

Roger Timothy Ruiz

Represented By
Marcus G Tiggs

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

Tuesday, March 10, 2020

Hearing Room 1675

10:30 AM

2:19-24787 Bradley Edward Barnes and Allison Platz Barnes

Chapter 7

#1.00 Cont'd hearing re: Motion for relief from stay
(WVJP 2017-1, LP VS Debtors)

Docket 20

Tentative Ruling:

Deny creditor's stay relief motion for the reasons stated in the opposition. Although the parties cite to the so-called "Curtis" factors, In re Curtis, 40 B.R. 795, 799-801 (Bankr. D. Utah 1984) and some courts find them helpful, this court generally does not give much credence to them. See In re Tucson Estates, Inc., 912 F.2d 1162, 1166-1170 (9th Cir. 1990). The moving papers do not make a prima facie showing for stay relief based on mandatory or permissive abstention because the relevant factors for either are not discussed. Id. Moreover, given the procedural posture of the state court proceedings, there was no judgment to base any claim of issue or claim preclusion against debtors, and if creditor prevailed on its appeal of the adverse order setting aside default judgment, there was no judgment specifically entered against her and there was no basis to assert issue or claim preclusion against Mrs. Barnes since she is not named in the seventh fraud or conspiracy to defraud claim to base a claim of issue or claim preclusion in the nondischargeability action, and any nondischargeability claim against her would have to be alleged and proved up without reliance on issue or claim preclusion. As to Mr. Barnes, creditor has not shown how the set aside default judgment if reinstated would support a claim of nondischargeability of debt based on issue or claim preclusion since there was no any finding of fraudulent misrepresentation by him and how the other elements of a claim under 11 U.S.C. 523(a)(2) or (6) could be established by the findings in the set aside judgment. As to both Mr. and Mrs. Barnes, there is no legal basis to except the debt from discharge applying issue or claim preclusion based on alter ego or vicarious liability. See In re Huh, 506 B.R. 257, 263-272 (9th Cir. BAP 2014). Therefore, there is an inadequate showing on these papers that stay relief would result in a complete resolution of the dispute over nondischargeability of debt and that would serve judicial economy as argued by creditor. Appearances are required on 3/10/20, 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 10, 2020

Hearing Room 1675

10:30 AM

CONT... Bradley Edward Barnes and Allison Platz Barnes

Chapter 7

Party Information

Debtor(s):

Bradley Edward Barnes

Represented By
Susan I Montgomery

Joint Debtor(s):

Allison Platz Barnes

Represented By
Susan I Montgomery

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 10, 2020

Hearing Room 1675

10:30 AM

2:19-25228 Alison Helen Leahy

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Santander Consumer USA Inc. 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):

Alison Helen Leahy

Represented By
Heather J Canning

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 10, 2020

Hearing Room 1675

10:30 AM

CONT... Alison Helen Leahy

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 10, 2020

Hearing Room 1675

11:00 AM

2:19-10119 David Lee

Chapter 11

#3.00 Cont'd hearing re: Motion for relief from stay
(Rehabbers Financial, Inc. dba Aztec Financial VS Debtor)
fr. 11/19/19, 1/14/20, 2/10/20

Docket 161

Tentative Ruling:

Updated tentative ruling as of 3/9/20. No tentative ruling on the merits. Appearances are required on 3/10/20, but counsel may appear by telephone.

Prior tentative ruling as of 2/10/20. Off calendar. Continued by stipulation and order to 3/10/20 at 11:00 a.m. (not 10:30 a.m. as proposed in the stipulation). No appearances are required on 2/11/20.

Prior tentative ruling as of 1/13/20. The court has reviewed debtor's unilateral status report. No tentative ruling on the merits. Appearances are required on 1/14/20, but counsel may appear by telephone.

Prior tentative ruling as of 11/18/19. Based on this record, it appears that valuation of the subject property is not in dispute since the "as is" values appear to be comparable and there is no equity at this time, though debtor contends that the property as developed (i.e., "as completed") would be worth much more and would provide value to the estate if he develops the property. While the lack of equity is shown under 11 U.S.C. 362(d)(2), the remaining issue is whether that the property is necessary for debtor's reorganization, or there is some evidence that his plan of reorganization could be confirmed by a reasonable bankruptcy judge. In re Bonner Mall Partnership, 2 F.3d 899, 902 n. 4 (9th Cir. 1993). Debtor as the party opposing stay relief has the burden on this issue under 11 U.S.C. 362(g)(2), and debtor's un rebutted evidentiary showing in his and the Martinez and Wiltchik declarations that he could develop the property to generate value for the estate could be part of a plan of reorganization that could be confirmed by a reasonable bankruptcy judge. At this point, there is no evidence that the property is declining in value or that an equity cushion is eroding to warrant adequate protection under 11 U.S.C. 362(d)(1). The court is inclined to deny the stay relief motion

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

Tuesday, March 10, 2020

Hearing Room 1675

11:00 AM

CONT...

David Lee

Chapter 11

without prejudice, and allow debtor for the time being a reasonable time to propose a plan which includes development of this property, although the court notes that this case is almost a year old and debtor will need to propose a plan within a reasonable time. Appearances are required on 11/19/19, but counsel may appear by telephone.

Prior tentative ruling as of 10/11/19. No tentative ruling on the merits. Appearances are required on 10/15/19 to discuss scheduling of further proceedings, including an evidentiary hearing. Appearances are required on 10/15/19, but counsel may appear by telephone.

Prior tentative ruling. The court was inclined to allow a short continuance of the hearing to allow debtor to obtain a valuation opinion in response to the valuation opinion submitted on behalf of movant. Debtor to provide a reasonable estimate when the appraisal can be obtained, so that the court can set an evidentiary hearing on valuation and cause for stay relief, including lack of adequate protection. Appearances are required on 9/10/19, but counsel may appear by telephone.

Party Information

Debtor(s):

David Lee

Represented By
David A Tilem

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

Tuesday, March 10, 2020

Hearing Room 1675

1:30 PM

2:16-24760 Philip Joseph Jaurigui

Chapter 7

Adv#: 2:18-01351 Mover v. Jaurigui

#4.00 Cont'd status conference re: Complaint for nondischargeability under 11 U.S.C. §§523(a)(2)(A), 523(a)(2)(B), 523(a)(6); and objection to discharge under §§727(a)(2), 727(a)(4)
fr. 6/25/19, 9/17/19, 1/14/20

Docket 1

***** VACATED *** REASON: Cont'd from 3/10/20 to 5/12/20 at 1:30 p.m.
per stip & order entered on 3/9/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/9/20. Off calendar. Continued by stipulation and order to 5/12/20 at 1:30 p.m. No appearances are required on 3/10/20.

Prior tentative ruling as of 1/13/20. The court has reviewed the joint status report. Appearances are required on 1/14/20 to discuss scheduling of pretrial conference and coordination of trial with related adversary proceeding, but counsel may appear by telephone.

Prior tentative ruling as of 9/16/19. Because the discovery cutoff date was extended to 12/31/19 and discovery is continuing to that date, the court was inclined to set a post-discovery status conference or a pretrial conference for after the discovery cutoff date. Appearances are required on 9/17/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. Appearances are required on 6/25/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/10/19. No tentative ruling on the merits. Appearances are required on 6/11/19, but counsel may appear by telephone.

Prior tentative ruling. Set a discovery cutoff date of 8/30/19 and a post-discovery status conference on 9/17/19 at 1:30 p.m. A joint status report is due on 9/10/19. Appearances are required on 1/8/19, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7

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

Tuesday, March 10, 2020

Hearing Room 1675

1:30 PM

CONT... Philip Joseph Jaurigui
days of hearing.

Chapter 7

Party Information

Debtor(s):

Philip Joseph Jaurigui

Represented By
Leonard Pena

Defendant(s):

Philip Joseph Jaurigui

Pro Se

Plaintiff(s):

Jonathan Mover

Represented By
Steven R Fox

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 10, 2020

Hearing Room 1675

1:30 PM

2:16-24760 Philip Joseph Jaurigui

Chapter 7

Adv#: 2:18-01352 Swing House Rehearsal and Recording, Inc. v. Jaurigui

#5.00 Cont'd status conference re: Complaint by Swing House Rehearsal and Recording, Inc. against Philip Joseph Jaurigui for nondischargeability under 11 U.S.C. §§523(A)(4) and 523(a)(6); and objection to discharge under §727(a)(4) fr. 6/25/19, 9/17/19, 1/14/20

Docket 1

***** VACATED *** REASON: Cont'd from 3/10/20 to 5/12/20 at 1:30 p.m.
per stip & order entered on 3/9/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/9/20. Off calendar. Continued by stipulation and order to 5/12/20 at 1:30 p.m. No appearances are required on 3/10/20.

Prior tentative ruling as of 1/13/20. The court has reviewed the joint status report. Appearances are required on 1/14/20 to discuss scheduling of pretrial conference and coordination of trial with related adversary proceeding, but counsel may appear by telephone.

Prior tentative ruling as of 9/16/19. Because the discovery cutoff date was extended to 12/31/19 and discovery is continuing to that date, the court was inclined to set a post-discovery status conference or a pretrial conference for after the discovery cutoff date. Appearances are required on 9/17/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. Appearances are required on 6/25/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/10/19. No tentative ruling on the merits. Appearances are required on 6/11/19, but counsel may appear by telephone.

Prior tentative ruling. Set a discovery cutoff date of 8/30/19 and a post-discovery status conference on 9/17/19 at 1:30 p.m. A joint status report is due on 9/10/19. Appearances are required on 1/8/19, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7

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

Tuesday, March 10, 2020

Hearing Room 1675

1:30 PM

CONT... Philip Joseph Jaurigui
days of hearing.

Chapter 7

Party Information

Debtor(s):

Philip Joseph Jaurigui

Represented By
Leonard Pena

Defendant(s):

Philip Joseph Jaurigui

Pro Se

Plaintiff(s):

Swing House Rehearsal and

Represented By
Steven R Fox

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 10, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01471 Avery v. Los Angeles County Tax Collector

#6.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of fraudulent and unauthorized postpetition transfers
fr. 1/7/20

Docket 1

***** VACATED *** REASON: Cont'd from 3/10/20 to 5/5/20 at 1:30 p.m.
per stip & order entered on 2/27/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 5/5/20 at 1:30 p.m. No appearances are required on 3/10/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Los Angeles County Tax Collector

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, March 10, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01249 Goodrich v. Capital One Business Credit Corporation

- #7.00** Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542
fr. 10/1/19, 1/14/20

Docket 1

Tentative Ruling:

Revised tentative ruling as of 3/10/20. Off calendar. The court has reviewed the joint status report filed on 3/9/20 representing that a settlement is now being documented. The court on its own motion continues the status conference to 5/12/20 at 1:30 p.m. to allow time for the parties to document their settlement and to submit a dispositive stipulation and proposed order. No appearances are required on 3/10/20.

Prior tentative ruling as of 1/13/20. The court has reviewed the joint status report. Apparently, the parties are requesting extension of the discovery cutoff date of 12/31/19, but have not established good cause. Appearances are required on 1/14/20, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report, stating that defendant has not responded to the complaint. Set a discovery cutoff date of 12/31/19, and set a post-discovery status conference for 1/14/20 at 1:30 p.m. with a status report due to be filed on 1/7/20. Appearances are required on 10/1/19, but counsel may appear by telephone.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

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

Tuesday, March 10, 2020

Hearing Room 1675

1:30 PM

CONT... SOCALDEAL INC

Chapter 7

Defendant(s):

Capital One Business Credit

Pro Se

Plaintiff(s):

David M Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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

Tuesday, March 10, 2020

Hearing Room 1675

2:00 PM

2:19-10246 Dean Henrik Okland

Chapter 11

Adv#: 2:19-01100 Mitchell et al v. Okland

#8.00 Pretrial conference re: Complaint to determine dischargeability of debt and for denial of discharge (11 U.S.C. §§523(a)(2)(A); 523(a)(4); 727(a)((2)(A) & (B) and 727(a)(4)(A)) fr. 6/11/19, 8/27/19

Docket 1

***** VACATED *** REASON: Dismissed by stip & order entered on 10/3/19-mb.**

Tentative Ruling:

Off calendar. Adversary proceeding dismissed by stipulation and order. No appearances are necessary.

Party Information

Debtor(s):

Dean Henrik Okland

Represented By
Matthew D. Resnik
Roksana D. Moradi-Brovia

Defendant(s):

Dean Okland

Pro Se

Plaintiff(s):

Courtney Mitchell

Represented By
Anja Reinke

Tracy Canfield

Represented By
Anja Reinke

Michael Fleischer

Represented By
Anja Reinke

Nadia Fleischer

Represented By
Anja Reinke

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

Tuesday, March 10, 2020

Hearing Room 1675

2:00 PM

CONT... Dean Henrik Okland

Chapter 11

Susan Boyer

Represented By
Anja Reinke

David Boyer

Represented By
Anja Reinke

Alyssa Shah

Represented By
Anja Reinke

Mark Poireir

Represented By
Anja Reinke

Sara Ramo

Represented By
Anja Reinke

Louie Schwartzberg

Represented By
Anja Reinke

Does 1 -10

Represented By
Anja Reinke

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

Tuesday, March 10, 2020

Hearing Room 1675

2:00 PM

2:16-15692 Rama Krishna Chaparala

Chapter 7

Adv#: 2:18-01121 Ehrenberg v. JYMK COSMETICS, INC. et al

#9.00 Cont'd pretrial conference re: Complaint for the avoidance and recovery of fraudulent transfers
fr. 6/25/19, 9/17/19, 1/28/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/9/20. Off calendar. The court has reviewed plaintiff's unilateral status report, requesting that the status conference be continued to 5/5/20 at 1:30 p.m. in light of plaintiff's pending renewed motion for summary judgment in the adversary proceeding against debtor, which it says may render default judgment in this matter unnecessary. The court on its own motion continues the status conference to 5/5/20 at 1:30 p.m. No appearances are required on 3/10/20, but counsel may appear by telephone.

Prior tentative ruling as of 1/27/20. Off calendar. The court has reviewed plaintiff's unilateral status report, stating that this is a default situation and requesting a continuance of the status conference to mid-March for him to decide whether to move for default judgment against defendants which are a dissolved corporation and a suspended corporation. The court on its own motion continues the status conference to 3/10/20 at 2:00 p.m. No appearances are required on 1/28/20.

Prior tentative ruling as of 9/16/19. The court has reviewed plaintiff's unilateral status report. Set a discovery cutoff date of 12/31/19 and a pretrial conference for 1/28/20 at 2:00 p.m. Appearances are required on 9/17/19 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. The court has reviewed plaintiff's unilateral status report. No tentative ruling on the merits. Appearances are required on 6/25/19 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, March 10, 2020

Hearing Room 1675

2:00 PM

CONT... Rama Krishna Chaparala

Chapter 7

Corrected tentative ruling as of 4/15/19. 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 June or early July 2019. The court on its own motion continues the status conference to 6/25/19 at 1:30 p.m., and an updated status report is optional for this status conference, but if one is filed, it would be appreciated if it is filed at least one week before. No appearances are required on 4/16/19.

Revised tentative ruling as of 1/29/19. The court has reviewed plaintiff's unilateral status report. No tentative ruling on the merits. Appearances are required on 1/29/19, but counsel may appear by telephone.

Prior 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

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

Tuesday, March 10, 2020

Hearing Room 1675

2:00 PM

CONT... Rama Krishna Chaparala

Chapter 7

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, March 10, 2020

Hearing Room 1675

2:30 PM

2:16-15692 Rama Krishna Chaparala

Chapter 7

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

#10.00 Hearing re: Renewed motion for summary judgment or, alternatively, partial summary adjudication regarding nondischargeability of debt under 11 U.S.C. § 523

Docket 38

Tentative Ruling:

Grant plaintiff's renewed motion for summary judgment for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are optional on 3/10/20, but counsel may appear by telephone. Plaintiff to submit by lodging a proposed order granting the renewed motion, its proposed conclusions of law in support thereof and a proposed judgment within 7 days of hearing.

Party Information

Debtor(s):

Rama Krishna Chaparala

Represented By
Jeffrey N Wishman
Leon D Bayer

Defendant(s):

Rama Krishna Chaparala

Represented By
Peter T Steinberg

Plaintiff(s):

All In One Trading, Inc., a California

Represented By
Michael Fischer
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, March 10, 2020

Hearing Room 1675

2:30 PM

CONT... Rama Krishna Chaparala

Chapter 7

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

Tuesday, March 10, 2020

Hearing Room 1675

2:30 PM

2:16-26024 Carmen Guerrero

Chapter 7

#11.00 Hearing re: Motion to reopen case

Docket 32

***** VACATED *** REASON: Granted per order entered on 3/4/20-mb.**

Tentative Ruling:

Off calendar. Motion granted on the papers. No appearances are required on 3/10/20.

Party Information

Debtor(s):

Carmen Guerrero

Represented By
Guy R Bayley

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 10, 2020

Hearing Room 1675

2:30 PM

2:19-18793 Mike Pelayo

Chapter 7

#12.00 Hearing re: Chapter 7 trustee's motion for authority (i) settlement as between estate and debtor of the compromise of proceeds from State Court claims against Tang Dynasty Legend, Inc. re wage claims; (ii) for authority to pay special litigation counsel's contingency's fees; and (iii) for authority to pay interim distribution to debtor of exempt property

Docket 17

Tentative Ruling:

Grant trustee's motion for authority to enter into settlement with debtor, to pay special litigation counsel and to pay interim distribution to debtor of exempt property for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are optional on 3/10/20, but counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Trustee should note that the courtroom number is 1675, not 1682, as indicated on the notice of motion.

Party Information

Debtor(s):

Mike Pelayo

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, March 10, 2020

Hearing Room 1675

2:30 PM

2:19-18793 Mike Pelayo

Chapter 7

#13.00 Hearing re: Trustee's application to employ special litigation counsel

Docket 19

Tentative Ruling:

Approve application to employ special litigation counsel for trustee for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are optional on 3/10/20, but counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Trustee should note that the courtroom number is 1675, not 1682, as indicated on the notice of motion.

Party Information

Debtor(s):

Mike Pelayo

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, March 10, 2020

Hearing Room 1675

2:30 PM

2:19-10119 David Lee

Chapter 11

#14.00 Hearing re: Application for payment of interim fees and/or expenses for Law Offices of David A Tilem, debtor's attorney

Docket 278

Tentative Ruling:

Notice of the interim fee application did not comply with LBR 2016-1(a)(2)(B) requiring not less than 21 days notice of an interim fee application before hearing since the notice was served on 2/21/20, only 18 days before hearing. Appearances are optional on 3/10/20, but counsel may appear by telephone. Applicant can just file and serve a re-notice of hearing on the application with the required 21 days notice before the hearing.

Party Information

Debtor(s):

David Lee

Represented By
David A Tilem

Movant(s):

David Lee

Represented By
David A Tilem

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

Tuesday, March 10, 2020

Hearing Room 1675

2:30 PM

2:19-13181 Serapio Venegas

Chapter 7

Adv#: 2:19-01481 Krasnoff Ch 7 Trustee v. Alliance United Insurance Company

#15.00 Cont'd hearing re: Chapter 7 trustee's motion to remand the adversary proceeding under 28 U.S.C. §1452(b), and Federal Rule of Bankruptcy Procedure 9027 fr. 2/4/20, 3/3/20

Docket 16

Tentative Ruling:

Revised tentative ruling as of 3/9/20. Grant plaintiff's motion to remand adversary proceeding to state court based on equitable remand under 28 U.S.C. 1452(b). Although the court agrees with the opposition of Alliance United Insurance Company that mandatory or permissive abstention is technically improper based on settled Ninth Circuit case law under *Security Farms v. International Brotherhood of Teamsters*, 124 F.3d 999 (9th Cir. 1997), equitable remand is appropriate as argued by plaintiff based on factors that the court may consider as set forth in *In re Enron Corp.*, 296 B.R. 505, 508 (C.D. Cal. 2003) and *In re Cytodyn of New Mexico, Inc.*, 374 B.R. 733, 738 (Bankr. C.D. Cal. 2007), cited in *In re Copelin*, 2014 WL 2810190 (Bankr. C.D. Cal. 2014). The factors that the court considers dispositive that favor remand include that the extent that state law issues predominate over bankruptcy issues in the removed action since the issues are state insurance law issues; the substance rather than form of an asserted "core" proceeding as the removed action is not a "core" proceeding; the presence of the related proceeding commenced in state court (though now removed); the lack of a jurisdictional basis other than the related to jurisdiction of the court under 28 U.S.C. 1334; the degree of remoteness of the removed action to the main bankruptcy case; and the lack of effect on the efficient administration of the estate if the court recommends remand. Appearances are required on 3/10/20, but counsel may appear by telephone.

Prior tentative ruling. Continued by stipulation and order to 3/10/20 at 2:30 p.m. No appearances are required on 3/3/20.

Party Information

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

Tuesday, March 10, 2020

Hearing Room 1675

2:30 PM

CONT... Serapio Venegas

Chapter 7

Debtor(s):

Serapio Venegas

Pro Se

Defendant(s):

Alliance United Insurance Company

Represented By
Robert J Pfister
Charles A. Danaher
Theona Zhordania

Plaintiff(s):

Brad D Krasnoff Ch 7 Trustee

Represented By
Eric P Israel
Sonia Singh
Steven Schuetze
Kristin Hobbs
Ricardo Echeverria

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, March 10, 2020

Hearing Room 1675

2:30 PM

2:19-13181 Serapio Venegas

Chapter 7

Adv#: 2:19-01481 Krasnoff Ch 7 Trustee v. Alliance United Insurance Company

#16.00 Cont'd status conference re: Removal of civil action to federal bankruptcy court
fr. 12/17/19, 2/4/20, 3/3/20

Docket 1

Tentative Ruling:

No tentative ruling as of 3/9/20. Appearances are required on 3/10/20, but counsel may appear by telephone.

Prior tentative ruling as of 3/2/20. Off calendar. Continued by stipulation and order to 3/10/20 at 2:30 p.m. No appearances are required on 3/3/20.

Prior tentative ruling. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 12/17/19.

Party Information

Debtor(s):

Serapio Venegas

Pro Se

Defendant(s):

Alliance United Insurance Company

Represented By
Robert J Pfister
Charles A. Danaher
Theona Zhordania

Plaintiff(s):

Brad D Krasnoff Ch 7 Trustee

Represented By
Eric P Israel
Sonia Singh
Steven Schuetze
Kristin Hobbs

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

Tuesday, March 10, 2020

Hearing Room 1675

2:30 PM

CONT... Serapio Venegas

Chapter 7

Ricardo Echeverria

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, March 10, 2020

Hearing Room 1675

2:30 PM

2:19-13181 Serapio Venegas

Chapter 7

#17.00 Cont'd hearing re: Cross-motion to dismiss involuntary bankruptcy case
fr. 3/3/20

Docket 53

Tentative Ruling:

Revised tentative ruling as of 3/9/20. Deny "cross"-motion of Movant Alliance United Insurance Company to dismiss bankruptcy case for lack of standing for reasons stated in the trustee's opposition. Movant must have standing to bring motion to dismiss Chapter 7 bankruptcy case under 11 U.S.C. 707(a), In re Sherman, 491 F.3d 948, 957-958 (9th Cir. 2007). Despite movant's "structural" objection, it must show that it has Article III constitutional standing to challenge the bankruptcy case, that is, whether it alleges an injury fairly traceable to the wrongful conduct, and that it has prudential standing as a person aggrieved by the bankruptcy court's order, see In re P.R.T.C., Inc., 177 F.3d 774, 777 (9th Cir. 1999); In re Chiu, 266 B.R. 743, 748-750 (9th Cir. BAP 2001), and it has not so shown that it is a creditor or other party in interest that meets the constitutional and prudential standing requirements. Movant's only demonstrable interest affected by the pendency of the bankruptcy case is as a party defendant in the trustee's action against it, now the removed state court action, which does not make it an aggrieved person by the pending of the bankruptcy case. Matter of Fondiller, 707 F.2d 441, 442-443 (9th Cir. 1983). The court also agrees with the trustee that cause is not shown under 11 U.S.C. 707(a) for dismissal since dismissal would be prejudicial to Creditor Wood, the largest creditor, and the estate, that the contingency fee of special litigation counsel is not cause for dismissal (i.e., since there is only one contingency fee of 40%) and dismissal would be prejudicial to the administrative claimants. Whether the concerns of the courts in In re Murray, 543 B.R. 494 (Bankr. S.D.N.Y. 2016), aff'd, 900 F.3d 53 (2nd Cir. 2018) are applicable here are debatable, and in any event, as out of circuit authority, Murray is not controlling here. Murray is distinguishable at least because the party seeking dismissal was a party in interest with standing unlike here. It does not seem to the court an improper bankruptcy purpose for the major creditor of the estate who was grievously injured by the debtor to bring the involuntary bankruptcy petition against debtor to pursue

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, March 10, 2020

Hearing Room 1675

2:30 PM

CONT...

Serapio Venegas

Chapter 7

rights that debtor may have against the insurance company for an alleged bad faith failure to timely accept a settlement offer adversary proceeding where the debtor has refused to pursue or assign those rights to the aggrieved creditor to constitute cause for dismissal under 11 U.S.C. 707(a) since the involuntary bankruptcy case was brought to protect an asset of debtor's estate which would be otherwise lost. See In re Manhattan Industries, Inc., 224 B.R. 195, 200 (Bankr. M.D. Fla. 1997)("The central policy behind involuntary petitions was to protect the threatened depletion of assets or to prevent the unequal treatment of similarly situated creditors."), cited and quoted in In re Marciano, 446 B.R. 407, 419 (Bankr. C.D. Cal. 2010). Whether movant as the insurer acted in bad faith with respect to debtor remains to be determined as such claim is being vigorously defended by movant. Appearances are required on 3/10/20, but counsel may appear by telephone.

Prior tentative ruling. Continued by stipulation and order to 3/10/20 at 2:30 p.m. No appearances are required on 3/3/20.

Party Information

Debtor(s):

Serapio Venegas

Pro Se

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, March 11, 2020

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. 8/28/19, 10/2/19, 12/11/19

Docket 1

Tentative Ruling:

Revised tentative ruling as of 3/9/20. Off calendar. Continued by stipulation and order to 5/13/20 at 11:00 a.m. No appearances are required on 3/11/20.

Prior tentative ruling as of 12/10/19. Off calendar. Continued by stipulation and order to 3/11/20 at 11:00 a.m. No appearances are required on 12/11/19.

Revised tentative ruling as of 10/1/19. Off calendar. Continued by stipulation and order to 12/11/19 at 11:00 a.m. No appearances are required on 10/2/19.

Prior tentative ruling as of 8/26/19. Off calendar. Continued by stipulation and order to 10/2/19 at 11:00 a.m. No appearances are required on 8/28/19.

Prior tentative ruling as of 7/15/19. No tentative ruling on the merits. Appearances are required on 7/17/19, but counsel may appear by telephone.

Prior tentative ruling as of 7/2/19. Off calendar. Continued by stipulation and order to 7/17/19 at 11:00 a.m. No appearances are required on 7/3/19.

Prior tentative ruling as of 4/30/19. Appearances are required to discuss scheduling of further proceedings, including Phase 2 of the trial. Appearances are required on 5/1/19, but counsel may appear by telephone.

Party Information

Debtor(s):

Dale Alfred Williams

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, March 11, 2020

Hearing Room 1675

11:00 AM

CONT... Dale Alfred Williams

Chapter 11

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 11, 2020

Hearing Room 1675

11:00 AM

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

Chapter 11

#2.00 Cont'd status conference re: Post confirmation of plan
fr. 3/13/19, 8/14/19, 12/11/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/9/20. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 3/11/20, but counsel may appear by telephone.

Prior tentative ruling as of 12/9/19. No tentative ruling on the merits. Appearances are required on 12/11/19, but counsel may appear by telephone.

Prior tentative ruling as of 8/13/19. No tentative ruling on the merits. Appearances are required on 8/14/19, but counsel may appear by telephone.

Prior tentative ruling as of 3/11/19. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 3/13/19, but counsel may appear by telephone.

Prior 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

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Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, March 11, 2020

Hearing Room 1675

11:00 AM

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

Chapter 11

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 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

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, March 11, 2020

Hearing Room 1675

11:00 AM

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

Chapter 11

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 11, 2020

Hearing Room 1675

11:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#3.00 Cont'd status conference re: Post confirmation of chapter 11 plan
fr. 5/29/19, 8/14/19, 12/11/19

Docket 332

Tentative Ruling:

Updated tentative ruling as of 3/9/20. Off calendar. The court on its own motion continues the status conference to 3/25/20 at 11:00 .m. to be conducted with the hearing on debtor's motion for final decree noticed for hearing on that date at that time. No appearances are required on 3/11/20.

Prior tentative ruling. The court has reviewed debtor's postconfirmation status report. No tentative ruling on the merits. Appearances are required on 12/11/19, 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, March 11, 2020

Hearing Room 1675

11:00 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#4.00 Cont'd status conference re: Management of chapter 11 case
fr. 12/11/19, 1/8/20, 2/19/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/9/20. Off calendar. The court on its own motion continues the status conference to 4/15/20 at 11:00 a.m. to be conducted with the hearing on confirmation on debtor's proposed reorganization plan noticed for hearing on that date at that time. No appearances are required on 3/11/20.

Prior tentative ruling as of 2/18/20. No tentative ruling on the merits. Appearances are required on 2/19/20, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures.but counsel may appear by telephone.

Prior tentative ruling as of 1/6/20. No tentative ruling on the merits. Appearances are required on 1/8/20, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures.but counsel may appear by telephone.

Revised tentative ruling as of 12/01/19. The court has reviewed debtor's status report, and creditor Acon Development's unilateral status report stating that it intended to file a motion to dismiss. No tentative ruling on the merits. Appearances are required on 12/11/19 to discuss the status of debtor's reorganization efforts and filing of disclosure statement and plan, 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
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Wednesday, March 11, 2020

Hearing Room 1675

11:00 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#5.00 Status conference re: Objection to claim number 4 by claimant US Bank National Association as Trustee for Velocity Commercial Capital Loan Trust 2014-1 fr. 10/4/19, 1/17/20, 2/28/20

Docket 115

***** VACATED *** REASON: Status conference vacated per hearing held on 3/4/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/9/20. Off calendar. The court vacated the hearing on 3/11/20 after resetting the matter for trial on 4/22/20 at 9:00 a.m. No appearances are required on 3/11/20.

Prior tentative ruling as of 1/16/20. Off calendar. Continued by stipulation and order to 2/28/20 at 10:00 a.m. No appearances are required on 1/17/20.

Prior tentative ruling as of 11/13/19. Off calendar. Evidentiary hearing on 11/15/19 vacated by order entered on 11/13/19, and telephonic status conference is set for 11/26/19 at 1:30 p.m. to reschedule evidentiary hearing if the parties are unable to stipulate to a continued hearing date and time. No appearances are required on 11/15/19.

Revised tentative ruling as of 10/2/19. Off calendar. Continued by stipulation and order to 11/15/19 at 9:00 a.m. No appearances are required on 10/4/19.

Prior tentative ruling as of 7/29/19. No tentative ruling on the merits. Appearances are required on 7/31/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. No tentative ruling on the merits. Appearances are required on 6/26/19.

Prior tentative ruling. Treat the motion objecting to claim as a contested matter under FRBP 9014 and set a schedule of pretrial proceedings, including discovery, since there are disputed issues of material fact. Parties should confer regarding an appropriate schedule if they can. Appearances are required on 5/8/19, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, March 11, 2020

Hearing Room 1675

11:00 AM

CONT... Raesi Group, Inc

Chapter 11

Creditor may be entitled to its claim for attorneys' fees under 11 U.S.C. 506(b) pursuant to contract based on its loan agreement secured by deed of trust, which were upheld as valid in the state court litigation. The four elements for a claim under 11 U.S.C. 506(b) are: (1) its claim is an allowed secured claim; (2) it is an oversecured creditor; (3) the fees it asserts are reasonable; and (4) the fees it asserts are provided for under an agreement under which such claim arose, or the fees are provided for under a state statute under which the creditor's claim arose. In re Astle, 364 B.R. 735, 741 (Bankr. D. Idaho 2007). The claim is an allowed secured claim based on the state court judgment, though the judgment is on appeal. The creditor is an oversecured creditor, which is not in dispute. The reasonableness of the fees it asserts is in material dispute. Creditor has only submitted redacted versions of its counsel's fee statements, which do not provide sufficient information for the court to review for reasonableness. Creditor must file unredacted versions, or submit unredacted versions in camera with a privilege log if creditor claims that the reacted matter is privileged. Debtor as the objecting party must carry its burden of explaining what in the fee statements are unreasonable or at least what would be reasonable under the circumstances. In re Koncicky, 2007 WL 7540997 (9th Cir. BAP 2007)(unpublished memorandum opinion) (citation omitted). Debtor has the responsibility to challenge the information and provide evidence controverting that produced by creditor. Id. Debtor has not met this burden. The fees that creditor asserts are provided by the loan agreement between it and its borrower providing for reasonable attorneys' fees if it incurs or pays to maintain, protect or enforce its rights under the loan agreement as secured by the deed of trust. Exhibits A and C to Favela Declaration. Case law in California allows such fees to be added to the balance under the promissory note secured by trust deed. Chacker v. JPMorgan Chase Bank, N.A., 27 Cal.App.5th 351, 356-358 (2018). However, there is no separate award of attorneys' fees authorized by statute, such as California Civil Code 1717 because debtor is not a signatory to the contract in the loan agreement and creditor has not otherwise shown that it would have been liable for the fees of the opposing party if the opposing party had prevailed. Asphalt Professionals, Inc. v. Davis (In re Davis), 595 B.R. 818, 837 (Bankr. C.D. Cal. 2019), citing, Dell Merk, Inc. v. Franzia, 132 Cal.App.4th 443, 441 (2005). Thus, creditor will need to submit fully unredacted copies of its fee statements to the court, and debtor will need to

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11:00 AM

CONT... Raesi Group, Inc

Chapter 11

explain what in the fee statements are unreasonable and/or produce evidence showing that the fees are unreasonable.

Party Information

Debtor(s):

Raesi Group, Inc

Represented By
Christopher P Walker

Movant(s):

Raesi Group, Inc

Represented By
Christopher P Walker

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, March 11, 2020

Hearing Room 1675

11:00 AM

2:19-10119 David Lee

Chapter 11

#6.00 Cont'd status conference re: Management of chapter 11 case
fr. 5/15/19, 9/11/19, 12/11/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/9/20. No tentative ruling on the merits.
Appearances are required on 3/11/20, but counsel may appear by telephone.

Prior tentative ruling as of 12/9/19. No tentative ruling on the merits.
Appearances are required on 12/11/19, but counsel may appear by
telephone.

Prior tentative ruling as of 9/9/19. No tentative ruling on the merits.
Appearances are required on 9/11/19, but counsel may appear by telephone.

Prior tentative ruling as of 5/14/19. The court has reviewed debtor's status
report. No tentative ruling on the merits. Appearances are required on
5/15/19, but counsel may appear by telephone.

Prior tentative ruling as of 4/1/19. No tentative ruling on the merits.
Appearances are required on 4/3/19, 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 2/27/19, but
counsel may appear by telephone.

Party Information

Debtor(s):

David Lee

Represented By
Renee E Sanders

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, March 11, 2020

Hearing Room 1675

1:30 PM

2:17-17577 Peter G. Kudrave

Chapter 11

#7.00 Cont'd hearing re: Motion to convert chapter 11 case to chapter 7
fr. 12/4/19, 1/15/20

Docket 167

Tentative Ruling:

Updated tentative ruling as of 3/9/20. No tentative ruling on the merits. Appearances are required on 3/11/20, but counsel may appear by telephone.

Prior tentative ruling as of 1/14/20. In light of debtor's death, the court considers Federal Rule of Bankruptcy Procedure 1016 on the death or incompetency of a bankruptcy debtor, stating inter alia, that "[i]f a reorganization . . . case is pending under chapter 11 . . . , the case may be dismissed; or if further administration is possible and in the best interests of the parties, the case may proceed and be concluded in the same manner, so far as possible, as through the death or incompetency had not occurred. See Order Continuing Post-Confirmation Status Conference, filed and entered on October 21, 2019 (Docket No. 163); see also, 9 Levin and Sommer, Collier on Bankruptcy, paragraph 1016.03 at 1016-4 - 1016-5 (16th ed. 2019). However, Rule 1016 does not prescribe the mechanics for bringing before the court the question of what to do following the death of the debtor in a Chapter 11 case. In re Eads, 135 B.R. 380, 383 and n. 2 (Bankr. E.D. Cal. 1991). In an adversary proceeding, Federal Rule of Bankruptcy Procedure 7025, which incorporates Federal Rule of Civil Procedure 25 by reference, regarding a motion for substitution applies, but in a bankruptcy case in general, Rule 7025 does not expressly apply, but where there is no applicable Local Bankruptcy Rule, which does not cover this situation, pursuant to Local Bankruptcy Rule 1001-1(e)(1) and (2), the court may look to parallel or analogous rules in the Federal Rules of Bankruptcy or Civil Procedure or proceed in any lawful manner not inconsistent with the Local Bankruptcy Rules or the Federal Rules of Bankruptcy Procedure. Thus, the court could apply Federal Rule of Civil Procedure 25(a) and/or Federal Rule of Bankruptcy Procedure to the extent this would not be inconsistent with Federal Rule of Bankruptcy Procedure 1016 because the confirmed plan is now in default and there is no cure after

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Hearing Room 1675

1:30 PM

CONT...

Peter G. Kudrave

Chapter 11

the death of the debtor. In light of the death of debtor, the court must apply Rule 1016, but the case law is mixed as to whether or not the court could order a conversion of the case after the death of the debtor in a reorganization case under Chapter 11 or 13 of the Bankruptcy Code. Compare *In re Roberts*, 570 B.R. 532 (Bankr. N.D. Miss. 2017) (Chapter 13 case may be converted after death of debtors and is inconsistent with Rule 1016 stating that a case may be dismissed or further administration (i.e., not conversion) may be allowed) with *In re Spiser*, 232 B.R. 669 (Bankr. N.D. Tex. 1999)(Chapter 13 case may not be converted after death of debtors because this is inconsistent with Rule 1016). Pursuant to Rule 1016, the case may be dismissed or further administration allowed, but if the case is converted to Chapter 7, it is unclear that the case can be administered because it appears that the only asset of value in the bankruptcy and probate estates is the residence that debtor co-owned with his spouse through a revocable living trust, which became an asset of the probate estate pursuant to California Probate Code Section 19001 on debtor's death. Debtor's confirmed reorganization plan provided that all property of the bankruptcy estate vested in the reorganized debtor upon the effective date of the plan. Plan, Docket No. 78, filed on May 1, 2018. The confirmation order provided that if the case is converted to Chapter 7, the property of the reorganized debtor or successor to the estate under the plan that has not been distributed is to be vested in the Chapter 7 bankruptcy estate. Confirmation Order, filed and entered on August 2, 2018 (Docket No. 96). When debtor died, the assets that he owned as the reorganized debtor became part of the probate estate, and the federal courts lack jurisdiction over disposition of property in the custody of the state probate court. Theoretically, perhaps, the court could grant the conversion motion and under the terms of the plan and confirmation order, the property of the bankruptcy estate would revert in the Chapter 7 bankruptcy estate, but this court as a federal court would lack jurisdiction to order any turnover from the state probate court under the probate jurisdiction exception. *Marshall v. Marshall*, 547 U.S. 310, 311-312 (2006). The court is inclined to dismiss the Chapter 11 bankruptcy case pursuant to Rule 1016 because dismissal is expressly provided for under that rule unless further administration is possible and in the best interest of the parties as the case cannot proceed and be concluded in the same manner as far as possible as through the death had not occurred. This is no longer possible because the confirmed plan was dependent on debtor's income earned during the plan

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1:30 PM

CONT...

Peter G. Kudrave

Chapter 11

term. The only future administration possible is distribution of debtor's assets, including the residence, which is in the custody of the state probate court. The best interest of creditors, such as movant, is served in their filing claims in the state probate court and receiving distributions from the probate assets in the state probate proceeding. Appearances are required on 1/15/20, but counsel may appear by telephone.

Prior tentative ruling as of 12/2/19. Treat creditor David Tilem's motion to convert case under 11 U.S.C. 1112(b)(1) as a contested matter under FRBP 9014 in light of the opposition of proposed representative of debtor's probate estate, David Kudrave. However, the probate petition is pending with a hearing to have taken place on the petition on 11/26/19. In determining a motion to convert or dismiss a Chapter 11 bankruptcy case under 11 U.S.C. 1112(b)(1), the court is to engage in a two-step analysis, first, to determine whether cause exists to dismiss or convert, and second, to determine whether dismissal, conversion or appointment of a trustee or examiner is in the best interests of the creditors and the estate, and to identify whether there are unusual circumstances that establish that dismissal or conversion is not in the best interests of creditors and the estate. In re Sullivan, 522 B.R. 604, 612 (9th Cir. BAP 2014). As to step one, showing cause, it appears that cause is shown based on debtor's failure to file post-confirmation status reports as set forth in the order confirming the Chapter 11 plan and on a material default in not escrowing funds to pay creditor's professional fees as provided in the confirmed plan. 11 U.S.C. 1112(b)(4)(E) and 1112(b)(4)(N). Whether or not there are other plan defaults such as making of plan and mortgage payments and payment of United States Trustee fees is disputed by the proposed probate representative. The proposed probate representative does not dispute the defaults, but states that such defaults will be cured when he is substituted in the case for debtor upon a motion to be filed once he receives letters testamentary from the state court supervising the probate case. As to step two, determining whether dismissal, conversion or appointment of a trustee is in the best interests of creditors and the estate and identifying whether unusual circumstances exist not to dismiss or convert the case, the court must consider the best interests of all creditors, and not just the interests of the one creditor, movant. In re Owens, 552 F.3d 958, 960-961 (9th Cir. 2009). As an option, dismissal is not addressed in the moving

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CONT...

Peter G. Kudrave

Chapter 11

papers, and if the property of reorganized debtor is subject to probate court jurisdiction, the distribution of such property may be subject to the probate exception to federal jurisdiction under *Marshall v. Marshall*, 547 U.S. 293 (2006). The creditors and the estate may be better off litigating themselves in state court if the probate exception applies. However, as indicated in the opposition, the major asset of the estate, debtor's residence, "devolved" to debtor's beneficiaries, apparently outside probate, through a trust since the proposed probate representative is also the trustee of debtor's family trust. However, the record is unclear what the status of title of debtor's residence is now, though creditor suggests that there may have been fraudulent transfers. If the property was transferred outside of probate, then the probate exception to federal jurisdiction may not apply. The court is inclined to determine that assuming that either dismissal or conversion is appropriate, there may be unusual circumstances not to warrant dismissal or conversion at this time on grounds that there was reasonable justification for the defaults based on the illness and death of debtor and the defaults will be cured within a reasonable period of time. The proposed probate representative has attested that there are no defaults in the mortgage payments on the residence and the plan payments, which have been made by debtor or by him, and defaults in filing status reports will be cured, and is seeking letters testamentary in order to act on behalf of debtor's probate estate to substitute for debtor to proceed with the confirmed plan and cure any plan defaults within a reasonable time pursuant to 11 U.S.C. 1112(b)(2)(B). Thus, the court would determine based on the death of debtor, the suggestion of death on the record, and the proposed probate representative's representations that he is seeking probate court authority to substitute in the case for debtor within the 90 days from the suggestion of death on the record pursuant to FRCP 25(a)(1) and cure the plan default in order to proceed with the confirmed plan constitutes compelling circumstances to depart from the time limits of 11 U.S.C. 1112(b)(3), and thus, the court would continue the hearing on the motion to convert until after the 90 day deadline for substitution of debtor under FRCP 25(a) has passed. The creditors as a whole may be better off if the proposed probate representative is substituted in and cures the defaults on the plan, and these circumstances are compelling to deviate from the deadlines of 11 U.S.C. 1112(b)(3) to ascertain whether cure by the proposed probate

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CONT...

Peter G. Kudrave

Chapter 11

representative within a reasonable period of time is viable. The court contemplates that only a relatively short continuance of the hearing on the motion to convert would be needed to ascertain this (roughly 60 days since the 90 day deadline expires on or about 1/7/20). The court notes that both creditor and proposed probate representative have indicated an intention to file a motion to substitute within the 90 day time limit of FRCP 25(a)(1). Appearances are required on 12/4/19, but counsel may appear by telephone.

Party Information

Debtor(s):

Peter G. Kudrave

Pro Se

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1:30 PM

2:17-17577 Peter G. Kudrave

Chapter 11

#8.00 Cont'd hearing re: Motion for designation of responsible person under §§105(a) and 1107(a); appointment of successor disbursing agent under §105(a); or designation as proper party under rule 7025
fr. 1/29/20

Docket 191

Tentative Ruling:

No tentative ruling as of 3/9/20. Appearances are required on 3/11/20, but counsel may appear by telephone.

Party Information

Debtor(s):

Peter G. Kudrave

Pro Se

**United States Bankruptcy Court
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Thursday, March 12, 2020

Hearing Room 1675

9:00 AM

2:18-18159 Martha Alicia Fernandez

Chapter 7

Adv#: 2:18-01327 Walden et al v. Fernandez

**#1.00 TRIAL RE: Complaint for non-dischargeability of debtor under §523(a)(2)(A)
fr. 11/12/19, 11/19/19, 12/3/19**

Docket 1

***** VACATED *** REASON: Off calendar per order entered on 3/11/20,
s/c set for 4/7/20 at 2:00 p.m.-mb**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Revised tentative ruling as of 3/10/20. In light of the emerging public health threat of coronavirus disease (COVID-19) in the United States and the world, the court in an abundance of caution postpones the trial in this adversary proceeding scheduled for 3/12/20 and 3/13/20. The court sets a status conference in this matter for 4/7/20 at 2:00 p.m. to reschedule the trial so that the court and the parties can assess the emerging and rapidly developing situation regarding the coronavirus and determine that the trial can safely proceed. No appearances are required on 3/12/20 and 3/13/20 as the trial will not proceed on those days, and counsel should so advise the parties and the witnesses.

Prior tentative ruling as of 12/2/19. The joint pretrial stipulation is missing stipulated fact no. 15, which is blank, and the joint exhibit list and any objections to the exhibits referred to in the joint pretrial stipulation, but the exhibit list and objections are not attached. Appearances are required on 12/4/19, but counsel may appear by telephone.

Prior tentative ruling as of 11/18/19. Off calendar. The court has reviewed the counsel declarations regarding preparation of the joint pretrial stipulation. The court on its own motion continues the pretrial conference to 12/3/19 at 11:00 a.m. and extends the time for the parties to file a joint pretrial stipulation to 11/26/19. The court expects that the parties will meet and confer to resolve their differences and submit a joint pretrial stipulation, not unilateral pretrial statements, by 11/26/19 (the parties should be able at least to agree

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CONT... Martha Alicia Fernandez

Chapter 7

to disagree so that there is one joint pretrial stipulation), and the court will impose sanctions of \$250 each on the culpable parties for failure to submit a joint pretrial stipulation as provided in LBR 7016-1. No appearances are required on 11/19/19.

Prior tentative ruling as of 11/8/19. Off calendar. Continued by stipulation and order to 11/19/19 at 2:00 p.m. No appearances are required on 11/12/19.

Prior tentative ruling as of 8/12/19. Appearances are required on 8/13/19, and parties to address the status of mediation, their failure to conduct a meeting of counsel pursuant to LBR 7026-1, the status of discovery and scheduling of further proceedings.

Prior tentative ruling as of 3/11/19. The court has reviewed the joint status report. Set a discovery cutoff date of 7/1/19 and a post-discovery status conference on 7/30/19 at 1:30 p.m. with a joint status report due on 7/23/19. Appearances are required on 3/12/19 to discuss the failure of counsel to have the early meeting of counsel under LBR 7026-1 and whether the matter should be referred to mediation, but counsel may appear by telephone.

Prior tentative ruling. The court notes that the parties failed to file a joint status report as required by Local Bankruptcy Rule 7016-1 and the court's order setting initial status conference in adversary proceeding filed and entered on 10/23/18, and such failure may subject the parties to monetary sanctions of \$100 each. The parties have not indicated to the court that they have met and conferred as required by Federal Rule of Bankruptcy Procedure 7026 and Local Bankruptcy Rule 7026-1. Appearances are required on 1/8/19.

Party Information

Debtor(s):

Martha Alicia Fernandez

Represented By
Gary S Saunders

Defendant(s):

Martha Alicia Fernandez

Pro Se

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9:00 AM

CONT... Martha Alicia Fernandez

Chapter 7

Plaintiff(s):

Yvette Walden Pro Se

Guadalupe L Cruz Pro Se

Jose L Cruz Pro Se

Trustee(s):

Elissa Miller (TR) Pro Se

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9:00 AM

2:18-18159 Martha Alicia Fernandez

Chapter 7

Adv#: 2:18-01327 Walden et al v. Fernandez

#1.00 CONT'D TRIAL RE: Complaint for non-dischargeability of debtor under §523(a)(2)(A) fr. 11/19/19, 12/3/19, 3/12/20

Docket 1

***** VACATED *** REASON: Off calendar per order entered on 3/11/20,
s/c set for 4/7/20 at 2:00 p.m.-mb**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Revised tentative ruling as of 3/10/20. In light of the emerging public health threat of coronavirus disease (COVID-19) in the United States and the world, the court in an abundance of caution postpones the trial in this adversary proceeding scheduled for 3/12/20 and 3/13/20. The court sets a status conference in this matter for 4/7/20 at 2:00 p.m. to reschedule the trial so that the court and the parties can assess the emerging and rapidly developing situation regarding the coronavirus and determine that the trial can safely proceed. No appearances are required on 3/12/20 and 3/13/20 as the trial will not proceed on those days, and counsel should so advise the parties and the witnesses.

Prior tentative ruling as of 12/2/19. The joint pretrial stipulation is missing stipulated fact no. 15, which is blank, and the joint exhibit list and any objections to the exhibits referred to in the joint pretrial stipulation, but the exhibit list and objections are not attached. Appearances are required on 12/4/19, but counsel may appear by telephone.

Prior tentative ruling as of 11/18/19. Off calendar. The court has reviewed the counsel declarations regarding preparation of the joint pretrial stipulation. The court on its own motion continues the pretrial conference to 12/3/19 at 11:00 a.m. and extends the time for the parties to file a joint pretrial stipulation to 11/26/19. The court expects that the parties will meet and confer to resolve their differences and submit a joint pretrial stipulation, not unilateral pretrial statements, by 11/26/19 (the parties should be able at least to agree

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CONT... Martha Alicia Fernandez

Chapter 7

to disagree so that there is one joint pretrial stipulation), and the court will impose sanctions of \$250 each on the culpable parties for failure to submit a joint pretrial stipulation as provided in LBR 7016-1. No appearances are required on 11/19/19.

Prior tentative ruling as of 11/8/19. Off calendar. Continued by stipulation and order to 11/19/19 at 2:00 p.m. No appearances are required on 11/12/19.

Prior tentative ruling as of 8/12/19. Appearances are required on 8/13/19, and parties to address the status of mediation, their failure to conduct a meeting of counsel pursuant to LBR 7026-1, the status of discovery and scheduling of further proceedings.

Prior tentative ruling as of 3/11/19. The court has reviewed the joint status report. Set a discovery cutoff date of 7/1/19 and a post-discovery status conference on 7/30/19 at 1:30 p.m. with a joint status report due on 7/23/19. Appearances are required on 3/12/19 to discuss the failure of counsel to have the early meeting of counsel under LBR 7026-1 and whether the matter should be referred to mediation, but counsel may appear by telephone.

Prior tentative ruling. The court notes that the parties failed to file a joint status report as required by Local Bankruptcy Rule 7016-1 and the court's order setting initial status conference in adversary proceeding filed and entered on 10/23/18, and such failure may subject the parties to monetary sanctions of \$100 each. The parties have not indicated to the court that they have met and conferred as required by Federal Rule of Bankruptcy Procedure 7026 and Local Bankruptcy Rule 7026-1. Appearances are required on 1/8/19.

Party Information

Debtor(s):

Martha Alicia Fernandez

Represented By
Gary S Saunders

Defendant(s):

Martha Alicia Fernandez

Pro Se

**United States Bankruptcy Court
Central District of California
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Friday, March 13, 2020

Hearing Room 1675

9:00 AM

CONT... Martha Alicia Fernandez

Chapter 7

Plaintiff(s):

Yvette Walden Pro Se

Guadalupe L Cruz Pro Se

Jose L Cruz Pro Se

Trustee(s):

Elissa Miller (TR) Pro Se

**United States Bankruptcy Court
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Tuesday, March 17, 2020

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.

#1.00 Cont'd hearing re: Issues raised by the disputes over the proposed scheduling order lodged by the Plan Agent, including the deletion of the proposed language of paragraph 11 of the Plan Agent's proposed scheduling order and the objections of Victor Sahn and Douglas Christmas to their further depositions for matters relating to or arising out of the New Cause of Action
fr. 1/29/20, 2/4/20

Docket 689

***** VACATED *** REASON: Cont'd from 3/17/20 to 4/8/20 at 1:30 p.m.
per order entered on 3/16/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/16/20. In light of the emerging public health crisis from coronavirus disease (COVID-19) in the United States and the world, the court in an abundance of caution continues the status conference in this adversary proceeding scheduled for 3/17/20 at 1:30 p.m. to 4/8/20 at 1:30 p.m. Hopefully, with the continuance to 4/8/20, the court and the parties can assess the emerging and rapidly developing public health crisis regarding the coronavirus outbreak and determine that hearings in the matter may safely proceed. No appearances are required on 3/17/20.

Prior tentative ruling as of 2/3/20. Appearances are required on 2/4/20 for counsel and parties who want to be heard on the matter, 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):

Art and Architecture Books of the

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

**United States Bankruptcy Court
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1:30 PM

CONT... Art and Architecture Books of the 21st Century
Alan I Nahmias

Chapter 11

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
Michael D. Smith	Represented By Brian L Davidoff
Kamran Gharibian	Represented By Brian L Davidoff
Daryoush Dayan	Represented By Brian L Davidoff
Cathay Bank, a California	Represented By Ekwan E Rhow Elliot C Harvey Schatmeier
Jennifer Kellen	Represented By Michael D Sobkowiak

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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
Jason Balitzer
Steven Thomas
Stephen Sorensen

**United States Bankruptcy Court
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Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, March 17, 2020

Hearing Room 1675

2:00 PM

2:16-24760 Philip Joseph Jaurigui

Chapter 7

Adv#: 2:19-01142 7175 WB, LLC v. Jaurigui

#2.00 Pretrial conference re: Complaint for objection to discharge under §§727(a)(2)(4), and (7) fr. 7/16/19

Docket 1

***** VACATED *** REASON: Cont'd from 3/17/20 to 3/24/20 at 2:00 p.m. per order entered on 10/9/19-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/16/20. Off calendar. Continued to 3/24/20 at 2:00 p.m. by prior order of the court. Presumably, since the court's order approving the parties' settlement was entered on 3/6/20 and the settlement provided for filing of stipulations for dismissal of the pending litigation between the parties within 10 days of such approval, the continued pretrial conference would go off calendar once the stipulations are submitted.

Prior tentative ruling as of 7/15/19. Parties to discuss the results of their early meeting of counsel under LBR 7026-1 and any impact on the proposed schedules in the joint status report. Appearances are required on 7/16/19, 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
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Los Angeles
Judge Robert Kwan, Presiding
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2:00 PM

CONT... Philip Joseph Jaurigui

Chapter 7

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, March 17, 2020

Hearing Room 1675

2:30 PM

2:18-23554 Marco Antonio Rodriguez and Claudia Rodriguez

Chapter 7

#3.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Carol A. Dye, Chapter 7 Trustee]

Docket 18

Tentative Ruling:

Off calendar. In light of the lack of a timely written objection to the trustee's final report and fee application, the court determines that oral argument on the final report and application is not necessary and dispenses with oral argument, and rules on the final report and fee application on the papers, and approves the final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. No appearances are required on 3/17/20. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Marco Antonio Rodriguez

Represented By
Sydell B Connor

Joint Debtor(s):

Claudia Rodriguez

Represented By
Sydell B Connor

Trustee(s):

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court
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Los Angeles
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Tuesday, March 17, 2020

Hearing Room 1675

2:30 PM

2:20-11841 John Stephen Cassel

Chapter 7

#4.00 Hearing re: Application to proceed in forma pauperis

Docket 7

***** VACATED *** REASON: Granted per order entered on 2/26/20-mb.**

Tentative Ruling:

Off calendar. Application granted by prior order. No appearances are necessary.

Party Information

Debtor(s):

John Stephen Cassel

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 24, 2020

Hearing Room 1675

10:30 AM

2:19-24262 Sergio Pineda Ochoa

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(Capital One Auto Finance VS Debtor)

Docket 9

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 of the hearing date. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

No appearances are required on 3/24/20.

Party Information

Debtor(s):

Sergio Pineda Ochoa

Represented By
D Justin Harelik

Movant(s):

Capital One Auto Finance, a division

Represented By
Cheryl A Skigin

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, March 24, 2020

Hearing Room 1675

10:30 AM

2:19-25127 Jermen Mary Ancino

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Lakeview Loan Servicing, LLC VS Debtor)

Docket 12

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 of the hearing date. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

No appearances are required on 3/24/20.

Party Information

Debtor(s):

Jermen Mary Ancino

Represented By
Raymond J Bulaon

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court
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Tuesday, March 24, 2020

Hearing Room 1675

10:30 AM

2:20-10617 Miguel De Jesus Angeles Prado

Chapter 7

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

Docket 9

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 of the hearing date. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

No appearances are required on 3/24/20.

Party Information

Debtor(s):

Miguel De Jesus Angeles Prado

Represented By
Raymond J Seo

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
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Los Angeles
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Tuesday, March 24, 2020

Hearing Room 1675

10:30 AM

2:20-11138 James Matthew Dorsey and Michelle Denise Dorsey

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(Bank of the West VS Debtors)

Docket 8

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 of the hearing date. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

No appearances are required on 3/24/20.

Party Information

Debtor(s):

James Matthew Dorsey

Represented By
Raymond J Bulaon

Joint Debtor(s):

Michelle Denise Dorsey

Represented By
Raymond J Bulaon

Movant(s):

BANK OF THE WEST

Represented By
Mary Ellmann Tang

**United States Bankruptcy Court
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Tuesday, March 24, 2020

Hearing Room 1675

10:30 AM

CONT... James Matthew Dorsey and Michelle Denise Dorsey

Chapter 7

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, March 24, 2020

Hearing Room 1675

10:30 AM

2:20-11138 James Matthew Dorsey and Michelle Denise Dorsey

Chapter 7

#5.00 Hearing re: Motion for relief from stay
(Logix Federal Credit Union VS Debtors)

RE: 2019 Cadillac Escalade ESV

Docket 10

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of the filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 of the hearing date. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

No appearances are required on 3/24/20.

Party Information

Debtor(s):

James Matthew Dorsey

Represented By
Raymond J Bulaon

Joint Debtor(s):

Michelle Denise Dorsey

Represented By
Raymond J Bulaon

**United States Bankruptcy Court
Central District of California
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10:30 AM

CONT... James Matthew Dorsey and Michelle Denise Dorsey

Chapter 7

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, March 24, 2020

Hearing Room 1675

10:30 AM

2:20-11138 James Matthew Dorsey and Michelle Denise Dorsey

Chapter 7

#6.00 Hearing re: Motion for relief from stay
(Logix Federal Credit Union VS Debtors)

RE: 2018 Cadillac CT6

Docket 11

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of the filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 of the hearing date. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

No appearances are required on 3/24/20.

Party Information

Debtor(s):

James Matthew Dorsey

Represented By
Raymond J Bulaon

Joint Debtor(s):

Michelle Denise Dorsey

Represented By
Raymond J Bulaon

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

Tuesday, March 24, 2020

Hearing Room 1675

10:30 AM

CONT... James Matthew Dorsey and Michelle Denise Dorsey

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 24, 2020

Hearing Room 1675

10:30 AM

2:20-11138 James Matthew Dorsey and Michelle Denise Dorsey

Chapter 7

#7.00 Cont'd hearing re: Motion for relief from stay
(Bank of America, N.A. VS Debtors)

Docket 15

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of the filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 of the hearing date. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

No appearances are required on 3/24/20.

Party Information

Debtor(s):

James Matthew Dorsey

Represented By
Raymond J Bulaon

Joint Debtor(s):

Michelle Denise Dorsey

Represented By
Raymond J Bulaon

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 24, 2020

Hearing Room 1675

10:30 AM

CONT... James Matthew Dorsey and Michelle Denise Dorsey

Chapter 7

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

Tuesday, March 24, 2020

Hearing Room 1675

10:30 AM

2:20-11952 Christopher Cody Smith and Tiphani Lee Anne Nicole

Chapter 7

#8.00 Hearing re: Motion for relief from stay
(Maple Leaf Capital Company VS Debtors)

Docket 7

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of the filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 of the hearing date. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

No appearances are required on 3/24/20.

Party Information

Debtor(s):

Christopher Cody Smith

Represented By
Gregory M Shanfeld

Joint Debtor(s):

Tiphani Lee Anne Nicole Smith

Represented By
Gregory M Shanfeld

Movant(s):

Maple Leaf Capital Company, GP

Represented By
David S Hagen

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

Tuesday, March 24, 2020

Hearing Room 1675

10:30 AM

CONT... Christopher Cody Smith and Tiphani Lee Anne Nicole

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 24, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01466 Avery v. Gia Phu Fashion Garment Co.

#9.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of fraudulent and unauthorized postpetition transfers fr. 1/7/20

Docket 1

***** VACATED *** REASON: Cont'd to 5/19/20 at 1:30 p.m.-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/18/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the settlement and to allow additional time for plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 5/19/20 at 1:30 p.m. No appearances are required on 3/24/20.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference after the mediation between plaintiff and principals of debtor and related parties and allowing plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 3/24/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Gia Phu Fashion Garment Co.

Pro Se

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

Tuesday, March 24, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

Plaintiff(s):

Wesley H. Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, March 24, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01469 Avery v. Trinh Vuong Garment Co., Ltd.

#10.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential and fraudulent transfers fr. 1/7/20

Docket 1

*** VACATED *** REASON: Cont'd to 5/19/20 at 1:30 p.m.-mb.

Tentative Ruling:

Updated tentative ruling as of 3/18/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the settlement and to allow additional time for plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 5/19/20 at 1:30 p.m. No appearances are required on 3/24/20.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference after the mediation between plaintiff and principals of debtor and related parties and allowing plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 3/24/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Trinh Vuong Garment Co., Ltd.

Pro Se

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

Tuesday, March 24, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

Plaintiff(s):

Wesley H. Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, March 24, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01472 Avery v. Shanghai Medicines and Health Products Import and

#11.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential and fraudulent transfers fr. 1/7/20

Docket 1

***** VACATED *** REASON: Cont'd to 5/19/20 at 1:30 p.m.-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/18/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the settlement and to allow additional time for plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 5/19/20 at 1:30 p.m. No appearances are required on 3/24/20.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference after the mediation between plaintiff and principals of debtor and related parties and allowing plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 3/24/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Shanghai Medicines and Health

Pro Se

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

Tuesday, March 24, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, March 24, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01474 Avery v. Voong

#12.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential, fraudulent, unauthorized postpetition transfers; and disallowance of claim fr. 1/7/20, 2/18/20

Docket 1

***** VACATED *** REASON: Cont'd from 3/24/20 to 4/28/20 at 1:30 p.m.
per stip & order entered on 3/16/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/18/20. Off calendar. Continued by stipulation and order to 4/28/20 at 1:30 p.m. No appearances are required on 2/18/20.

Prior tentative ruling. Continued by stipulation and order to 3/24/20 at 1:30 p.m. No appearances are required on 2/18/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Kevin Voong

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, March 24, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

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

Tuesday, March 24, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01475 Avery v. Van

#13.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential and fraudulent transfers fr. 1/7/20

Docket 1

***** VACATED *** REASON: Cont'd to 5/19/20 at 1:30 p.m.-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/18/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the settlement and to allow additional time for plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 5/19/20 at 1:30 p.m. No appearances are required on 3/24/20.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference after the mediation between plaintiff and principals of debtor and related parties and allowing plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 3/24/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Trinh Thi Hong Van

Pro Se

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

Tuesday, March 24, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, March 24, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01476 Avery v. Chau

#14.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential, fraudulent, unauthorized postpetition transfers; and disallowance of claim fr. 1/7/20

Docket 1

***** VACATED *** REASON: Cont'd to 5/19/20 at 1:30 p.m.-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/18/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the settlement and to allow additional time for plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 5/19/20 at 1:30 p.m. No appearances are required on 3/24/20.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference after the mediation between plaintiff and principals of debtor and related parties and allowing plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 3/24/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Cong Ty Tnhh Anh Chau

Pro Se

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

Tuesday, March 24, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, March 24, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01477 Avery v. Shaoxing LeiLei Import & Export Company

#15.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of fraudulent, unauthorized postpetition transfers; and disallowance of claim fr. 1/7/20

Docket 1

***** VACATED *** REASON: Cont'd to 5/19/20 at 1:30 p.m.-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/18/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the settlement and to allow additional time for plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 5/19/20 at 1:30 p.m. No appearances are required on 3/24/20.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference after the mediation between plaintiff and principals of debtor and related parties and allowing plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 3/24/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Shaoxing LeiLei Import & Export

Pro Se

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

Tuesday, March 24, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, March 24, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01478 Avery v. Shaoxing Tuchang Knitting Textile Co., Ltd.

#16.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential fraudulent, unauthorized postpetition transfers; and disallowance of claim fr. 1/7/20

Docket 1

*** VACATED *** REASON: Cont'd to 5/19/20 at 1:30 p.m.-mb.

Tentative Ruling:

Updated tentative ruling as of 3/18/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the settlement and to allow additional time for plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 5/19/20 at 1:30 p.m. No appearances are required on 3/24/20.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference after the mediation between plaintiff and principals of debtor and related parties and allowing plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 3/24/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Shaoxing Tuchang Knitting Textile

Pro Se

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

Tuesday, March 24, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, March 24, 2020

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. 12/17/19, 2/19/20

Docket 1

***** VACATED *** REASON: Cont'd to 4/28/20 at 1:30 p.m.-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/17/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues the status conference in this adversary proceeding scheduled for March 24, 2020 at 1:30 p.m. The court on its own motion continues the status conference to April 28, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 1:30 p.m. as the status conference is continued to April 28, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Revised tentative ruling as of 6/11/19. Off calendar. Continued by stipulation and order to 8/20/19 at 1:30 p.m. No appearances are required on 6/12/19.

Prior tentative ruling as of 4/8/18. No tentative ruling on the merits. Appearances are required on 4/9/18, but counsel may appear by telephone.

Prior 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

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

Tuesday, March 24, 2020

Hearing Room 1675

1:30 PM

CONT...

Catherine Trinh

Chapter 11

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.

Prior 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 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, March 24, 2020

Hearing Room 1675

1:30 PM

2:18-11475 Catherine Trinh

Chapter 11

Adv#: 2:19-01506 Trinh v. Second Generation, a California corporation

#18.00 Cont'd status conference re: Complaint for: (1) declaratory relief; (2) avoidance and recovery of preferential transfer; (3) recovery of property; (4) preservation of a preferential transfer; and (5) disallowance of claim
fr. 2/11/20

Docket 1

***** VACATED *** REASON: Cont'd from 3/24/20 to 5/19/20 at 1:30 p.m.
per stip & order entered on 3/5/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 5/19/20 at 1:30 p.m. No appearances are required on 3/24/20.

Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

Defendant(s):

Second Generation, a California

Pro Se

Plaintiff(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, March 24, 2020

Hearing Room 1675

1:30 PM

2:19-11150 Precision AgriTech Inc.

Chapter 7

Adv#: 2:20-01011 Krasnoff, Chapter 7 Trustee v. Ellestad

#19.00 Status conference re: Trustee's complaint to avoid unperfected security interest

Docket 1

***** VACATED *** REASON: Cont'd to 5/26/20 at 1:30 p.m.-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/18/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the entry of default against defendant and the intention of plaintiff to file a motion for default judgment within 30 to 45 days. The court on its own motion continues the status conference to 5/26/20 at 1:30 p.m. in order to allow time for plaintiff to file his motion for default judgment before the status conference. No appearances are required on 3/24/20.

Party Information

Debtor(s):

Precision AgriTech Inc.

Represented By
Ashley M McDow

Defendant(s):

Eric Ellestad

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, March 24, 2020

Hearing Room 1675

2:00 PM

2:16-24760 Philip Joseph Jaurigui

Chapter 7

Adv#: 2:19-01142 7175 WB, LLC v. Jaurigui

#20.00 Cont'd pretrial conference re: Complaint for objection to discharge under §§727(a)(2)(4), and (7) fr. 7/16/19

Docket 1

***** VACATED *** REASON: Dismissed per stip & order entered on 3/4/20-mb.**

Tentative Ruling:

Off calendar. Adversary proceeding dismissed by stipulation and order on 3/4/20. No appearances are necessary.

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

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 24, 2020

Hearing Room 1675

2:00 PM

2:18-17205 Avi Cohen

Chapter 7

Adv#: 2:18-01296 Swift Financial, LLC fka Swift Financial Corporati v. Cohen

#21.00 Cont'd pretrial 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)
fr. 6/11/19, 9/17/19, 1/28/20

Docket 1

***** VACATED *** REASON: Cont'd from 3/24/20 to 4/28/20 at 2:00 p.m.
per stip & order entered on 3/16/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/18/20. Off calendar. Continued by stipulation and order to 4/28/20 at 2:00 p.m. No appearances are required on 3/24/20.

Prior tentative ruling as of 9/16/19. The court has reviewed the joint status report. Set a pretrial conference for 1/28/20 at 2:00 p.m. and a deadline of 1/21/20 for filing a joint pretrial stipulation. Appearances are required on 9/17/19.

Prior tentative ruling as of 6/10/19. Off calendar. The court has reviewed plaintiff's interim status report stating that the alternate mediator would be able to complete a mediation in mid-June and requested a continuance of 30 days. The court on its own motion continues the status conference to 6/25/19 at 1:30 p.m. No appearances are required on 6/11/19. Plaintiff to give notice of continuance to defendant.

Prior 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

**United States Bankruptcy Court
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Tuesday, March 24, 2020

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2:00 PM

CONT... Avi Cohen Chapter 7

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
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Tuesday, March 24, 2020

Hearing Room 1675

2:30 PM

2:15-15952 Fred Matthew Adelman

Chapter 7

#22.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Wesley H. Avery, Chapter 7 Trustee]

Docket 1358

***** VACATED *** REASON: Cont'd from 3/24/20 to 4/28/20 at 2:30 p.m.
per order entered on 3/17/20-mb.**

Tentative Ruling:

Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues all hearings on the Trustee's Final Report, Docket No. 1358, and Applications for Fees and Expenses, Docket Nos. 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, in this bankruptcy case scheduled for March 24, 2020 at 2:30 p.m. The court on its own motion continues these hearings to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearings are continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Fred Matthew Adelman

Represented By
Gary E Devlin
Dare Law

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

Tuesday, March 24, 2020

Hearing Room 1675

2:30 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, March 24, 2020

Hearing Room 1675

2:30 PM

2:15-15952 Fred Matthew Adelman

Chapter 7

#23.00 Hearing re: Application for fees and expenses
[Klein & Wilson, Prior Chapter Attorney for Trustee/DIP]

Docket 1338

***** VACATED *** REASON: Cont'd from 3/24/20 to 4/28/20 at 2:30 p.m.
per order entered on 3/17/20-mb**

Tentative Ruling:

Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues all hearings on the Trustee's Final Report, Docket No. 1358, and Applications for Fees and Expenses, Docket Nos. 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, in this bankruptcy case scheduled for March 24, 2020 at 2:30 p.m. The court on its own motion continues these hearings to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearings are continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Fred Matthew Adelman

Represented By
Gary E Devlin
Dare Law

Movant(s):

Klein & Wilson

Represented By
Gerald A Klein

Klein & Wilson

Represented By

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

Tuesday, March 24, 2020

Hearing Room 1675

2:30 PM

CONT... Fred Matthew Adelman

Gerald A Klein

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, March 24, 2020

Hearing Room 1675

2:30 PM

2:15-15952 Fred Matthew Adelman

Chapter 7

#24.00 Hearing re: Application for fees and expenses
[Hinshaw & Culbertson LLP, Prior Chapter Attorney for Trustee/DIP]

Docket 1345

***** VACATED *** REASON: Cont'd from 3/24/20 to 4/28/20 at 2:30 p.m.
per order entered on 3/17/20-mb.**

Tentative Ruling:

Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues all hearings on the Trustee's Final Report, Docket No. 1358, and Applications for Fees and Expenses, Docket Nos. 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, in this bankruptcy case scheduled for March 24, 2020 at 2:30 p.m. The court on its own motion continues these hearings to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearings are continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Fred Matthew Adelman

Represented By
Gary E Devlin
Dare Law

Movant(s):

Hinshaw & Culbertson LLP

Represented By
Gary E Devlin

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

Tuesday, March 24, 2020

Hearing Room 1675

2:30 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
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Tuesday, March 24, 2020

Hearing Room 1675

2:30 PM

2:15-15952 Fred Matthew Adelman

Chapter 7

#25.00 Hearing re: Application for fees and expenses
[Leech Tishman Fuscaldo & Lample IC, Prior Chapter Attorney for Trustee/DIP]

Docket 1343

***** VACATED *** REASON: Cont'd from 3/24/20 to 4/28/20 at 2:30 p.m.
per order entered on 3/17/20-mb**

Tentative Ruling:

Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues all hearings on the Trustee's Final Report, Docket No. 1358, and Applications for Fees and Expenses, Docket Nos. 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, in this bankruptcy case scheduled for March 24, 2020 at 2:30 p.m. The court on its own motion continues these hearings to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearings are continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Fred Matthew Adelman

Represented By
Gary E Devlin
Dare Law

Movant(s):

Leech Tishman Fuscaldo & Lampl

Represented By
Sandford L. Frey

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, March 24, 2020

Hearing Room 1675

2:30 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, March 24, 2020

Hearing Room 1675

2:30 PM

2:15-15952 Fred Matthew Adelman

Chapter 7

#26.00 Hearing re: Application for fees and expenses
[Creim Macias Koenig & Frey, Prior Chapter Attorney for Trustee/DIP]

Docket 1342

***** VACATED *** REASON: Cont'd from 3/24/20 to 4/28/20 at 2:30 p.m.
per order entered on 3/17/20-mb.**

Tentative Ruling:

Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues all hearings on the Trustee's Final Report, Docket No. 1358, and Applications for Fees and Expenses, Docket Nos. 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, in this bankruptcy case scheduled for March 24, 2020 at 2:30 p.m. The court on its own motion continues these hearings to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearings are continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Fred Matthew Adelman

Represented By
Gary E Devlin
Dare Law

Movant(s):

Stuart I. Koenig Creim Macias

Represented By
Sandford L. Frey

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

Tuesday, March 24, 2020

Hearing Room 1675

2:30 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
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Tuesday, March 24, 2020

Hearing Room 1675

2:30 PM

2:15-15952 Fred Matthew Adelman

Chapter 7

#27.00 Hearing re: Application for fees and expenses
[Hill, Farrer & Burrill LLP, Prior Chapter Attorney for Trustee/DIP]

Docket 1344

***** VACATED *** REASON: Cont'd from 3/24/20 to 4/28/20 at 2:30 p.m.
per order entered on 3/17/20-mb.**

Tentative Ruling:

Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues all hearings on the Trustee's Final Report, Docket No. 1358, and Applications for Fees and Expenses, Docket Nos. 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, in this bankruptcy case scheduled for March 24, 2020 at 2:30 p.m. The court on its own motion continues these hearings to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearings are continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Fred Matthew Adelman

Represented By
Gary E Devlin
Dare Law

Movant(s):

HILL FARRER & BURRILL LLP

Represented By
Daniel J McCarthy

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

Tuesday, March 24, 2020

Hearing Room 1675

2:30 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, March 24, 2020

Hearing Room 1675

2:30 PM

2:15-15952 Fred Matthew Adelman

Chapter 7

#28.00 Hearing re: Application for fees and expenses
[Morrison & Foerster LLP, Prior Chapter Attorney for Trustee/DIP]

Docket 1340

***** VACATED *** REASON: Cont'd from 3/24/20 to 4/28/20 at 2:30 p.m.
per order entered on 3/17/20-mb.**

Tentative Ruling:

Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues all hearings on the Trustee's Final Report, Docket No. 1358, and Applications for Fees and Expenses, Docket Nos. 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, in this bankruptcy case scheduled for March 24, 2020 at 2:30 p.m. The court on its own motion continues these hearings to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearings are continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Fred Matthew Adelman

Represented By
Gary E Devlin
Dare Law

Movant(s):

Klein & Wilson

Represented By
Gerald A Klein

Klein & Wilson

Represented By

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

Tuesday, March 24, 2020

Hearing Room 1675

2:30 PM

CONT... Fred Matthew Adelman

Chapter 7

Gerald A Klein

Morrison & Foerster Llp

Represented By
Adam A Lewis

Morrison & Foerster Llp

Represented By
Adam A Lewis

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
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Tuesday, March 24, 2020

Hearing Room 1675

2:30 PM

2:15-15952 Fred Matthew Adelman

Chapter 7

#29.00 Hearing re: Application for fees and expenses
[Marshack Hays, LLP, Attorney for Trustee]

Docket 1346

***** VACATED *** REASON: Cont'd from 3/24/20 to 4/28/20 at 2:30 p.m.
per order entered on 3/17/20-mb.**

Tentative Ruling:

Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues all hearings on the Trustee's Final Report, Docket No. 1358, and Applications for Fees and Expenses, Docket Nos. 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, in this bankruptcy case scheduled for March 24, 2020 at 2:30 p.m. The court on its own motion continues these hearings to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearings are continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Fred Matthew Adelman

Represented By
Gary E Devlin
Dare Law

Movant(s):

Marshack Hays LLP

Represented By
D Edward Hays
Chad V Haes

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

Tuesday, March 24, 2020

Hearing Room 1675

2:30 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
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Tuesday, March 24, 2020

Hearing Room 1675

2:30 PM

2:15-15952 Fred Matthew Adelman

Chapter 7

#30.00 Hearing re: Application for fees and expenses
[Navigators Specialty Insurance Company, Prior Chapter Administrative Expenses]

Docket 1358

***** VACATED *** REASON: Cont'd from 3/24/20 to 4/28/20 at 2:30 p.m.
per order entered on 3/17/20-mb**

Tentative Ruling:

Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues all hearings on the Trustee's Final Report, Docket No. 1358, and Applications for Fees and Expenses, Docket Nos. 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, in this bankruptcy case scheduled for March 24, 2020 at 2:30 p.m. The court on its own motion continues these hearings to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearings are continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Fred Matthew Adelman

Represented By
Gary E Devlin
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, March 24, 2020

Hearing Room 1675

2:30 PM

CONT... Fred Matthew Adelman

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, March 24, 2020

Hearing Room 1675

2:30 PM

2:15-15952 Fred Matthew Adelman

Chapter 7

#31.00 Hearing re: Application for fees and expenses
[Leslie Cohen Law, PC, Prior Chapter Attorney for Trustee/DIP]

Docket 1341

***** VACATED *** REASON: Cont'd from 3/24/20 to 4/28/20 at 2:30 p.m.
per order entered on 3/17/20-mb.**

Tentative Ruling:

Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues all hearings on the Trustee's Final Report, Docket No. 1358, and Applications for Fees and Expenses, Docket Nos. 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, in this bankruptcy case scheduled for March 24, 2020 at 2:30 p.m. The court on its own motion continues these hearings to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearings are continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Fred Matthew Adelman

Represented By
Gary E Devlin
Dare Law

Movant(s):

Leslie Cohen

Pro Se

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, March 24, 2020

Hearing Room 1675

2:30 PM

CONT...

Fred Matthew Adelman

Chad V Haes
D Edward Hays
Kristine A Thagard

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, March 24, 2020

Hearing Room 1675

2:30 PM

2:15-15952 Fred Matthew Adelman

Chapter 7

#32.00 Hearing re: Application for fees and expenses
[Samuel Biggs, Accountant for Trustee]

Docket 1339

***** VACATED *** REASON: Cont'd from 3/24/20 to 4/28/20 at 2:30 p.m.
per order entered on 3/17/20-mb.**

Tentative Ruling:

Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues all hearings on the Trustee's Final Report, Docket No. 1358, and Applications for Fees and Expenses, Docket Nos. 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, in this bankruptcy case scheduled for March 24, 2020 at 2:30 p.m. The court on its own motion continues these hearings to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearings are continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Fred Matthew Adelman

Represented By
Gary E Devlin
Dare Law

Movant(s):

SL Biggs

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, March 24, 2020

Hearing Room 1675

2:30 PM

CONT...

Fred Matthew Adelman

Chad V Haes
D Edward Hays
Kristine A Thagard

Chapter 7

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

Tuesday, March 24, 2020

Hearing Room 1675

2:30 PM

2:15-15952 Fred Matthew Adelman

Chapter 7

#33.00 Hearing re: Application for fees and expenses
[Samuel Biggs, Prior Chapter Accountant for Trustee/DIP]

Docket 1339

***** VACATED *** REASON: Cont'd from 3/24/20 to 4/28/20 at 2:30 p.m.
per order entered on 3/17/20-mb.**

Tentative Ruling:

Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues all hearings on the Trustee's Final Report, Docket No. 1358, and Applications for Fees and Expenses, Docket Nos. 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, in this bankruptcy case scheduled for March 24, 2020 at 2:30 p.m. The court on its own motion continues these hearings to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearings are continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Fred Matthew Adelman

Represented By
Gary E Devlin
Dare Law

Movant(s):

SL Biggs

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, March 24, 2020

Hearing Room 1675

2:30 PM

CONT...

Fred Matthew Adelman

Chad V Haes
D Edward Hays
Kristine A Thagard

Chapter 7

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

Tuesday, March 24, 2020

Hearing Room 1675

2:30 PM

2:15-25283 Arturo Gonzalez

Chapter 7

Adv#: 2:19-01483 Gonzalez v. Wesley H. Avery, as the Chapter 7 trustee for the

#34.00 Hearing re: Motion pursuant to bankruptcy rule 9023, to alter, or amend the judgment, or request a new trial, pursuant to decision concerning homestead decision (docket 364) and "tools of the trade" decision in adversary hearing (docket 19); motion to amend findings of fact and conclusions of law in the homestead decision (docket 364) and "tools of the trade" decision (docket 19) in adversary hearing pursuant to bankruptcy rule 7052; motion for judicial notice

Docket 24

***** VACATED *** REASON: Per order entered on 3/13/20-mb**

Tentative Ruling:

Off calendar. The court has issued a written ruling on the motion. No appearances are required on 3/24/20.

Party Information

Debtor(s):

Arturo Gonzalez

Pro Se

Defendant(s):

Wesley H. Avery, as the Chapter 7

Represented By
Brett B Curlee

Plaintiff(s):

Arturo Gonzalez

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Brett B Curlee
Dennis E McGoldrick

**United States Bankruptcy Court
Central District of California
Los Angeles
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Courtroom 1675 Calendar**

Tuesday, March 24, 2020

Hearing Room 1675

2:30 PM

2:17-15007 Eugen Valentin Dietl

Chapter 7

#35.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Wesley H. Avery, Chapter 7 Trustee]

Docket 364

***** VACATED *** REASON: Cont'd from 3/24/20 to 4/28/20 at 2:30 p.m.
per order entered on 3/17/20-mb.**

Tentative Ruling:

Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues all hearings on the Trustee's Final Report, Docket No. 364, and Applications for Fees and Expenses, Docket Nos. 358 and 359, in this bankruptcy case scheduled for March 24, 2020 at 2:30 p.m. The court continues these hearings to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearings are continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

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
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Tuesday, March 24, 2020

Hearing Room 1675

2:30 PM

2:17-15007 Eugen Valentin Dietl

Chapter 7

#36.00 Hearing re: Application for fees and expenses
[Arent Fox LLP, Attorney for Chapter 7 Trustee]

Docket 359

***** VACATED *** REASON: Cont'd from 3/24/20 to 4/28/20 at 2:30 p.m.
per order entered on 3/17/20-mb.**

Tentative Ruling:

Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues all hearings on the Trustee's Final Report, Docket No. 364, and Applications for Fees and Expenses, Docket Nos. 358 and 359, in this bankruptcy case scheduled for March 24, 2020 at 2:30 p.m. The court continues these hearings to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearings are continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

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, March 24, 2020

Hearing Room 1675

2:30 PM

2:17-15007 Eugen Valentin Dietl

Chapter 7

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

Docket 358

***** VACATED *** REASON: Cont'd from 3/24/20 to 4/28/20 at 2:30 p.m.
per order entered on 3/17/20-mb.**

Tentative Ruling:

Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues all hearings on the Trustee's Final Report, Docket No. 364, and Applications for Fees and Expenses, Docket Nos. 358 and 359, in this bankruptcy case scheduled for March 24, 2020 at 2:30 p.m. The court continues these hearings to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearings are continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

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, March 24, 2020

Hearing Room 1675

2:30 PM

2:18-11132 Peter Spennato DDS, Inc. and Peter Spennato, Peter

Chapter 7

#38.00 Hearing re: First and final application of chapter 7 trustee for allowance of statutory fees

Docket 105

Tentative Ruling:

Off calendar. In light of the lack of a timely written objection to the trustee's final fee application, the court determines that oral argument on the final fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written objection as consent to the approval of the fee application pursuant to Local Bankruptcy Rule 9013-1(h), rules on the final fee application on the papers, and approves the final fee application of trustee for reasons stated in the fee application and for lack of timely written objection. No appearances are required on 3/24/20. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Peter Spennato DDS, Inc.

Represented By
David B Golubchik
Todd M Arnold

Peter Spennato, Peter Spennato

Represented By
Todd M Arnold
David B Golubchik

Trustee(s):

Carolyn A Dye (TR)

Represented By
James A Dumas Jr
Christian T Kim

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

Tuesday, March 24, 2020

Hearing Room 1675

2:30 PM

2:18-11132 Peter Spennato DDS, Inc. and Peter Spennato, Peter

Chapter 7

#39.00 Hearing re: First interim application for fees and reimbursement of costs of Dumas & Kim, APC., counsel for trustee

Docket 102

Tentative Ruling:

Off calendar. In light of the lack of a timely written objection to the first interim fee application of attorneys for trustee, the court determines that oral argument on the fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written objection as consent to the approval of the fee application pursuant to Local Bankruptcy Rule 9013-1(h), rules on the fee application on the papers, and approves first interim fee application of attorneys for trustee for reasons stated in the fee application and for lack of timely written objection. No appearances are required on 3/24/20. Trustee or applicants to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Peter Spennato DDS, Inc.

Represented By
David B Golubchik
Todd M Arnold

Peter Spennato, Peter Spennato

Represented By
Todd M Arnold
David B Golubchik

Trustee(s):

Carolyn A Dye (TR)

Represented By
James A Dumas Jr
Christian T Kim

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

Tuesday, March 24, 2020

Hearing Room 1675

2:30 PM

2:18-17238 Metamason, Inc

Chapter 7

#40.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[David M. Goodrich, Chapter 7 Trustee]

Docket 28

Tentative Ruling:

Off calendar. In light of the lack of a timely written objection to the trustee's final report and fee application, the court determines that oral argument on the final report and application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of timely written objection as consent to approval of the final report and fee application, rules on the final report and fee application on the papers, and approves the final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. No appearances are required on 3/24/20. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Metamason, Inc

Represented By
Marcus G Tiggs

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 24, 2020

Hearing Room 1675

2:30 PM

2:18-20432 Don Gonzalez

Chapter 7

Adv#: 2:18-01432 Swift Financial, LLC v. Gonzalez

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

Docket 23

***** VACATED *** REASON: Cont'd from 3/24/20 to 4/28/20 at 2:30 p.m.
per order entered on 3/17/20-mb.**

Tentative Ruling:

Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues the hearing on Plaintiff's Motion for Default Judgment, Docket No. 23, in this adversary proceeding and the status conference scheduled for March 24, 2020 at 2:30 p.m. The court on its own motion continues the hearing on the motion and the status conference to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearing on the motion and the status conference are continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Don Gonzalez

Pro Se

Defendant(s):

Don Gonzalez

Pro Se

Plaintiff(s):

Swift Financial, LLC

Represented By
Daren M Schlecter

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

Tuesday, March 24, 2020

Hearing Room 1675

2:30 PM

CONT... Don Gonzalez

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, March 24, 2020

Hearing Room 1675

2:30 PM

2:18-20432 Don Gonzalez

Chapter 7

Adv#: 2:18-01432 Swift Financial, LLC v. Gonzalez

#42.00 Cont'd 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 neither listed nor scheduled and known to debtor (11 U.S.C. §523(a)(3); 4) debts incurred through conversion under 11 U.S.C. § 523(a)(4); 5) debts incurred through willful and malicious injury to property under 11 U.S.C. §523(a)(6); 6) objection to discharge under 11 U.S.C. §727(a)(5) fr. 8/20/19, 10/15/19, 2/4/20

Docket 1

***** VACATED *** REASON: Cont'd from 3/24/20 to 4/28/20 at 2:30 p.m.
per order entered on 3/17/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/17/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues the hearing on Plaintiff's Motion for Default Judgment, Docket No. 23, in this adversary proceeding and the status conference scheduled for March 24, 2020 at 2:30 p.m. The court on its own motion continues the hearing on the motion and the status conference to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearing on the motion and the status conference are continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Prior tentative ruling as of 2/3/20. Off calendar. Because this is now a default situation, the court on its own motion continues the status conference to 3/24/20 at 2:30 p.m. to be conducted with the hearing on plaintiff's anticipated motion for default judgment. No appearances are required on 2/4/20, but counsel and self-represented parties may appear by telephone in accordance

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

Tuesday, March 24, 2020

Hearing Room 1675

2:30 PM

CONT... Don Gonzalez

Chapter 7

with the court's telephone appearance procedures posted online on the court's website.

Prior tentative ruling as of 10/11/19. No tentative ruling on the merits. Appearances are required on 10/15/19, 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. The court has reviewed plaintiff's unilateral status report. No tentative ruling on the merits. Appearances are required on 2/12/19, but counsel may appear by telephone.

Party Information

Debtor(s):

Don Gonzalez	Pro Se
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Defendant(s):

Don Gonzalez	Pro Se
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Plaintiff(s):

Swift Financial, LLC	Represented By Daren M Schlecter
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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, March 24, 2020

Hearing Room 1675

2:30 PM

2:19-13181 Serapio Venegas

Chapter 7

#43.00 Hearing re: Trustee's motion for order extending time to file complaint objecting to debtor's discharge

Docket 59

Tentative Ruling:

Off calendar. In light of the lack of a timely written opposition to the trustee's motion for order extending time to file complaint objecting to debtor's discharge, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of the filing and service of a timely written opposition as consent to the granting of the motion, rules on the motion on the papers, and grants the motion for reasons stated in the moving papers and for lack of timely written opposition. No appearances are required on 3/24/20. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Serapio Venegas

Pro Se

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, March 24, 2020

Hearing Room 1675

2:30 PM

2:19-20372 Lance Stuart Moreland and Care Jo Moreland

Chapter 7

#44.00 Hearing re: Trustee's: (i) objection to debtors' exemption as to vehicle [2014 Honda Pilot], and (ii) demand for turnover of non-exempt properties of the bankruptcy estate [2013 Toyota Corolla & 6 bank accounts]

Docket 21

***** VACATED *** REASON: Cont'd from 3/24/20 to 4/28/20 at 2:30 p.m.
per order entered on 3/17/20-mb.**

Tentative Ruling:

In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues the hearing on the contested matter of the Chapter 7 Trustee's: (i) Objection to Debtors' Exemption as to Vehicle [2014 Honda Pilot], and (ii) Demand for Turnover of Non-exempt Properties of the Bankruptcy Estate [2013 Toyota Corolla & 6 Bank Accounts], Docket No. 21, in this bankruptcy case scheduled for March 24, 2020 at 2:30 p.m. The court continues the hearing on this contested matter to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearing is continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Lance Stuart Moreland

Represented By
Louis J Esbin

Joint Debtor(s):

Care Jo Moreland

Represented By
Louis J Esbin

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

Tuesday, March 24, 2020

Hearing Room 1675

2:30 PM

CONT... Lance Stuart Moreland and Care Jo Moreland

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**

Wednesday, March 25, 2020

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. 5/29/19, 9/11/19, 1/15/20

Docket 203

***** VACATED *** REASON: Cont'd from 3/25/20 to 4/29/20 at 11:00 a.m.
per order entered on 3/17/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/18/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues the status conference in this bankruptcy case scheduled for March 25, 2020 at 11:00 a.m. The court on its own motion continues the status conference to April 29, 2020 at 11:00 a.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 25, 2020 at 11:00 a.m. as the status conference is continued to April 29, 2020 at 11:00 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Prior tentative ruling as of 1/13/20. No tentative ruling on the merits. Appearances are required on 1/15/20.

Prior tentative ruling as of 9/9/19. No tentative ruling on the merits. Appearances are required on 9/11/19.

Prior tentative ruling as of 5/28/19. No tentative ruling on the merits. Appearances are required on 5/29/19.

Prior tentative ruling as of 1/28/19. No tentative ruling on the merits. Appearances are required on 1/30/19, 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.

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

Wednesday, March 25, 2020

Hearing Room 1675

11:00 AM

CONT... Barbara Jo Baiz Rodriguez

Chapter 11

Prior 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 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).

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

Wednesday, March 25, 2020

Hearing Room 1675

11:00 AM

CONT... Barbara Jo Baiz Rodriguez

Chapter 11

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 9/4/14.

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

Wednesday, March 25, 2020

Hearing Room 1675

11:00 AM

CONT... **Barbara Jo Baiz Rodriguez**

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):

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, March 25, 2020

Hearing Room 1675

11:00 AM

CONT... Barbara Jo Baiz Rodriguez

Chapter 11

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

Wednesday, March 25, 2020

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. 9/18/19, 11/13/19, 1/29/20

Docket 59

*** VACATED *** REASON: Cont'd from 3/25/20 to 4/29/20 at 11:30 a.m.
per order entered on 3/17/20-mb.

Tentative Ruling:

Updated tentative ruling as of 3/18/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues the status conference in this bankruptcy case scheduled for March 25, 2020 at 11:00 a.m. The court on its own motion continues the status conference to April 29, 2020 at 11:30 a.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 25, 2020 at 11:00 a.m. as the status conference is continued to April 29, 2020 at 11:30 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Prior tentative ruling as of 1/27/20. No tentative ruling on the merits. Appearances are required on 1/29/20, but counsel may appear by telephone.

Prior tentative ruling as of 11/11/19. No tentative ruling on the merits. Appearances are required on 11/13/19, but counsel may appear by telephone.

Prior tentative ruling as of 9/16/19. No tentative ruling on the merits. Appearances are required on 9/18/19, but counsel may appear by telephone.

Prior tentative ruling as of 3/11/19. No tentative ruling on the merits. Appearances are required on 3/13/19, 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 25, 2020

Hearing Room 1675

11:00 AM

CONT... Chestnut, LLC

Chapter 11

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, March 25, 2020

Hearing Room 1675

11:00 AM

2:15-24071 Francisco O Lopez

Chapter 11

#3.00 Hearing re: U.S. Trustee Motion under 11 U.S.C. §1112(b)(1) to convert, dismiss or appoint a chapter 11 trustee

Docket 153

*** VACATED *** REASON: Cont'd from 3/25/20 to 4/8/20 at 11:30 a.m.
per stip & order entered on 3/17/20-mb.

Tentative Ruling:

Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues the hearing on the Motion of the U.S. Trustee under 11 U.S.C. § 1112(b)(1) to Convert, Dismiss or Appoint a Chapter 11 Trustee, Docket No. 153, and the status conference in this bankruptcy case scheduled for March 25, 2020 at 11:00 a.m. The court on its own motion continues the hearing on the motion and the case status conference to April 8, 2020 at 11:30 a.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 25, 2020 at 11:00 a.m. as the hearing on the motion and status conference are continued to April 8, 2020 at 11:30 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Francisco O Lopez

Represented By
Nam H. Le
Ryan A. Stubbe

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

Wednesday, March 25, 2020

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, 11/20/19, 12/4/19, 3/4/20

Docket 1

***** VACATED *** REASON: Cont'd from 3/25/20 to 4/8/20 at 11:30 a.m.
per stip & order entered on 3/17/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/18/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues the hearing on the Motion of the U.S. Trustee under 11 U.S.C. § 1112(b)(1) to Convert, Dismiss or Appoint a Chapter 11 Trustee, Docket No. 153, and the status conference in this bankruptcy case scheduled for March 25, 2020 at 11:00 a.m. The court on its own motion continues the hearing on the motion and the case status conference to April 8, 2020 at 11:30 a.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 25, 2020 at 11:00 a.m. as the hearing on the motion and status conference are continued to April 8, 2020 at 11:30 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Prior tentative ruling as of 3/3/20. No tentative ruling on the merits. Appearances are required on 3/4/20, but counsel may appear by telephone.

Prior tentative ruling as of 12/2/19. No tentative ruling on the merits. Appearances are required on 12/4/19 to discuss status of delinquent quarterly operating reports, but counsel may appear by telephone.

Prior tentative ruling as of 11/18/19. Appearances are required on 11/20/19, but counsel may appear by telephone.

Prior tentative ruling as of 10/7/19. 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 25, 2020

Hearing Room 1675

11:00 AM

CONT... Francisco O Lopez

Chapter 11

Appearances are required on 10/8/19, but counsel may appear by telephone.

Prior tentative ruling as of 7/29/19. No tentative ruling on the merits.

Appearances are required on 7/31/19, 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, March 25, 2020

Hearing Room 1675

11:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#5.00 Hearing re: Motion for entry of order of final decree closing debtor's chapter 11 case

Docket 389

Tentative Ruling:

Off calendar. In light of the lack of a timely written opposition to the motion of debtor in possession for entry of order for final decree and closing the case, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of the filing and service of a timely written opposition as consent to the granting of the motion, rules on the motion on the papers, and grants the motion for reasons stated in the moving papers and for lack of timely written opposition. No appearances are required on 3/25/20. 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 25, 2020

Hearing Room 1675

11:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#5.10 Cont'd status conference re: Post confirmation of chapter 11 plan
fr. 8/14/19, 12/11/19, 3/11/20

Docket 332

Tentative Ruling:

Updated tentative ruling as of 3/18/20. Off calendar. In light of the pending motion of debtor in possession for entry of order for final decree and closing the case, which is unopposed, and the court's tentative ruling to grant the motion for reasons stated in the moving papers and for lack of timely written opposition, the status conference will be moot if the motion is granted pursuant to the tentative ruling. No appearances are required on 3/25/20. The court will reset a status conference if the motion is not granted.

Prior tentative ruling as of 3/9/20. Off calendar. The court on its own motion continues the status conference to 3/25/20 at 11:00 .m. to be conducted with the hearing on debtor's motion for final decree noticed for hearing on that date at that time. No appearances are required on 3/11/20.

Prior tentative ruling. The court has reviewed debtor's postconfirmation status report. No tentative ruling on the merits. Appearances are required on 12/11/19, 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, March 25, 2020

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. 12/11/19, 1/15/20, 2/19/20

Docket 1

***** VACATED *** REASON: Cont'd from 3/25/20 to 4/29/20 at 11:00 a.m.
per stip & order entered on 2/13/20-pp**

Tentative Ruling:

Updated tentative ruling as of 3/18/20. Off calendar. Continued by stipulation and order to 4/29/20 at 11:00 a.m. No appearances are required on 3/25/20.

Prior tentative ruling as of 8/26/19. No tentative ruling on the merits. Appearances are required on 8/28/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. No tentative ruling on the merits. Appearances are required on 6/26/19, 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, March 25, 2020

Hearing Room 1675

11:00 AM

2:17-21123 JC Fits, Inc.

Chapter 11

#7.00 Cont'd status conference re: Management of chapter 11 case
fr. 8/28/19, 10/23/19, 1/29/20

Docket 1

***** VACATED *** REASON: Cont'd from 3/25/20 to 4/29/20 at 11:30 a.m.
per order entered on 3/17/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/18/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues the status conference in this bankruptcy case scheduled for March 25, 2020 at 11:00 a.m. The court on its own motion continues the status conference to April 29, 2020 at 11:30 a.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 25, 2020 at 11:00 a.m. as the status conference is continued to April 29, 2020 at 11:30 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Prior tentative ruling as of 1/27/20. No tentative ruling on the merits. Appearances are required on 1/29/20, but counsel may appear by telephone.

Prior tentative ruling as of 10/21/19. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 10/23/19, but counsel may appear by telephone.

Prior tentative ruling as of 8/26/19. No tentative ruling on the merits. Appearances are required on 8/28/19, but counsel may appear by telephone.

Prior tentative ruling as of 8/13/19. No tentative ruling on the merits. Appearances are required on 8/14/19, 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 25, 2020

Hearing Room 1675

11:00 AM

CONT...

JC Fits, Inc.

Chapter 11

Prior tentative ruling as of 5/28/19. No tentative ruling on the merits.
Appearances are required on 5/29/19, but counsel may appear by telephone.

Prior tentative ruling as of 2/25/19. No tentative ruling on the merits.
Appearances are required on 2/27/19, but counsel may appear by telephone.

Prior tentative ruling as of 2/4/19. No tentative ruling on the merits.
Appearances are required on 2/6/19, but counsel may appear by telephone.

Prior 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, March 25, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#8.00 Cont'd hearing re: Creditor Shen-Shaoxing Tuchang Knitting Textile Co., Ltd.'s motion to allow late filed claims pursuant to Federal Rules of Bankruptcy Procedure Rule 9006(b) fr. 8/21/19, 10/23/19, 2/19/20

Docket 316

***** VACATED *** REASON: Cont'd from 3/25/20 to 4/29/20 at 11:00 a.m. per stip & order entered on 3/12/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/18/20. Off calendar. Continued by stipulation and order to 4/29/20 at 11:00 a.m. No appearances are required on 3/25/20.

Prior tentative ruling. Continued by stipulation and order to 3/25/20 at 11:00 a.m. No appearances are required on 2/19/20.

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, March 25, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#9.00 Cont'd hearing re: Creditor Cong Ty May Vietmy's motion to allow late filed claims pursuant to Federal Rules of Bankruptcy Procedure Rule 9006(b) fr. 8/21/19, 10/23/19, 2/19/20

Docket 314

***** VACATED *** REASON: Cont'd from 3/25/20 to 4/29/20 at 11:00 a.m.
per stip & order entered on 3/12/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/18/20. Off calendar. Continued by stipulation and order to 4/29/20 at 11:00 a.m. No appearances are required on 3/25/20.

Prior tentative ruling. Off calendar. Continued by stipulation and order to 3/25/20 at 11:00 a.m. No appearances are required on 2/19/20.

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, March 25, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#10.00 Cont'd hearing re: Creditor Gia Phu Inc.'s motion to allow late filed claims pursuant to Federal Rules of Bankruptcy Procedure Rule 9006(b) fr. 8/21/19, 10/23/19, 2/19/20

Docket 312

***** VACATED *** REASON: Cont'd from 3/25/20 to 4/29/20 at 11:00 a.m.
per stip & order entered on 3/12/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/18/20. Off calendar. Continued by stipulation and order to 4/29/20 at 11:00 a.m. No appearances are required on 3/25/20.

Prior tentative ruling. Off calendar. Continued by stipulation and order to 3/25/20 at 11:00 a.m. No appearances are required on 2/19/20.

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, March 25, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#11.00 Cont'd hearing re: Creditor Baldwin Sun Inc.'s motion to allow late filed claims pursuant to Federal Rules of Bankruptcy Procedure Rule 9006(b) fr. 8/21/19, 10/23/19, 2/19/20

Docket 310

***** VACATED *** REASON: Cont'd from 3/25/20 to 4/29/20 at 11:00 a.m.
per stip & order entered on 3/12/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/18/20. Off calendar. Continued by stipulation and order to 4/29/20 at 11:00 a.m. No appearances are required on 3/25/20.

Prior tentative ruling. Off calendar. Continued by stipulation and order to 3/25/20 at 11:00 a.m. No appearances are required on 2/19/20.

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, March 25, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#12.00 Cont'd hearing re: Disclosure statement
fr. 8/21/19, 10/23/19, 2/19/20

Docket 277

***** VACATED *** REASON: Cont'd from 3/25/20 to 4/29/20 at 11:00 a.m.
per stip & order entered on 3/10/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/18/20. Off calendar. Continued by stipulation and order to 4/29/20 at 11:00 a.m. No appearances are required on 3/25/20.

Prior tentative ruling. Off calendar. Continued by stipulation and order to 3/25/20 at 11:00 a.m. No appearances are required on 2/19/20.

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, March 25, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#13.00 Status conference re: Post discovery
fr. 10/23/19, 12/11/19, 2/19/20

Docket 1

***** VACATED *** REASON: Cont'd to 4/29/20 at 11:00 a.m. -mb.**

Tentative Ruling:

Updated tentative ruling as of 3/18/20. Off calendar. The court on its own motion continues this status conference to be conducted with the related matters in this case on 4/29/20 at 11:00 a.m. No appearances are required on 3/25/20.

Prior tentative ruling. Continued by stipulation and order to 3/25/20 at 11:00 a.m. No appearances are required on 2/19/20.

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, March 25, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#14.00 Cont'd status conference re: Management of chapter 11 case
fr. 10/23/19, 2/5/20, 2/19/20

Docket 1

***** VACATED *** REASON: Cont'd from 3/25/20 to 4/29/20 at 11:00 a.m.
per stip & order entered on 3/10/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/18/20. Off calendar. Continued by stipulation and order to 4/29/20 at 11:00 a.m. No appearances are required on 3/25/20.

Prior tentative ruling. Off calendar. Continued by stipulation and order to 3/25/20 at 11:00 a.m. No appearances are required on 2/19/20.

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, March 25, 2020

Hearing Room 1675

11:00 AM

2:18-11525 Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

#15.00 Hearing re: Motion under 11 U.S.C. §1112(b)(1) to convert, dismiss or appoint a chapter 11 trustee

Docket 223

***** VACATED *** REASON: Cont'd from 3/25/20 to 4/8/20 at 11:30 a.m.
per order entered on 3/17/20-mb.**

Tentative Ruling:

Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues the hearing on the United States Trustee's Motion Under 11 U.S.C. § 1112(b)(1) to Convert, Dismiss or Appoint a Chapter 11 Trustee, Docket Number 223, in this bankruptcy case scheduled for March 25, 2020 at 11:00 a.m. The court on its own motion continues this hearing to April 8, 2020 at 11:30 a.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 25, 2020 at 11:00 a.m. as the hearing is continued to April 8, 2020 at 11:30 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow
Mark F Hebbeln

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow
Mark F Hebbeln

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

Wednesday, March 25, 2020

Hearing Room 1675

11:00 AM

CONT... Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

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, March 25, 2020

Hearing Room 1675

11:00 AM

2:18-14665 Hugo Hernandez

Chapter 11

#16.00 Status conference re: Post confirmation of plan
fr. 7/17/19, 9/18/19, 11/20/19

Docket 113

***** VACATED *** REASON: Cont'd from 3/25/20 to 4/29/20 at 11:00 a.m.
per order entered on 3/17/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/18/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues the status conference in this bankruptcy case scheduled for March 25, 2020 at 11:00 a.m. The court on its own motion continues the status conference to April 29, 2020 at 11:00 a.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 25, 2020 at 11:00 a.m. as the status conference is continued to April 29, 2020 at 11:00 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Prior tentative ruling as of 11/18/19. Grant debtor's motion to confirm Chapter 11 reorganization plan for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are required on 11/20/19, but counsel may appear by telephone.

Prior tentative ruling as of 9/16/19. No tentative ruling on the merits. Appearances are required on 9/18/19, but counsel may appear by telephone.

Prior tentative ruling as of 7/15/19. Appearances are required on 7/17/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/10/19. Appearances are required on 6/12/19 regarding scheduling debtor's appearance before the court, but counsel may

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

Wednesday, March 25, 2020

Hearing Room 1675

11:00 AM

CONT... **Hugo Hernandez**
appear by telephone.

Chapter 11

Prior tentative ruling as of 5/28/19. No tentative ruling on the merits. Appearances are required on 5/29/19, but counsel may appear by telephone.

Prior tentative ruling as of 4/16/19. Although the amended disclosure statement is an improvement over the last version, the information is not completely adequate because debtor's listing of business expenses is inadequate and does not state what they are. Debtor should break down what they specifically are, and debtor should provide a historical breakdown of such specific expenses over the last 12 months. The court notes that the expenses are not evenly spread out during the last 12 months, but apparently are large in a few months and small in other months. Since the plan payments are so small, the court believes that it needs to give debtor's expenses close scrutiny, so that meaningful information is given to creditors for voting. Appearances are required on 4/17/19, but counsel may appear by telephone.

Prior tentative ruling. The matter of debtor's motion to value secured claim or lien as to Lending 1st Mortgage, LLC is not yet resolved and needs to be resolved before the case may proceed to plan confirmation. It appears that even though the motion is resolved as to Specialized Loan Servicing by stipulation and order, the motion is not resolved as to the other lien creditor and that the motion should be renoticed for hearing.

Debtor will have to provide additional information for the disclosure statement relating to: (1) his business expenses for which a detailed statement is required for Schedule I/J, and which was not provided either with the schedule or in Exhibit F; (2) his payments on the first deed of trust, for which there is no detailed breakdown of principal, interest, taxes, and other expenses; (3) and debtor should also provide financial projections for the entire 60-month duration of the plan.

The court will also require that debtor provide a narrative statement about his employment history and future employment prospects and his income producing activities, such as the investment real property and its income prospects, such as rental increases or decreases.

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

Wednesday, March 25, 2020

Hearing Room 1675

11:00 AM

CONT... Hugo Hernandez

Chapter 11

Appearances are required on 1/16/19, 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, March 25, 2020

Hearing Room 1675

11:00 AM

2:18-21789 Samuel Marquez

Chapter 11

#17.00 Cont'd status conference re: Objection to claim no.1 filed by the Internal Revenue Service
fr. 7/16/19, 9/17/19, 1/14/20

Docket 39

*** VACATED *** REASON: Cont'd from 3/25/20 to 4/29/20 at 11:30 a.m.
per order entered on 3/17/20-mb.

Tentative Ruling:

Updated tentative ruling as of 3/18/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues the status conference on the contested matter of Debtor's objection to Claim No. 1 of the Internal Revenue Service in this bankruptcy case scheduled for March 25, 2020 at 11:00 a.m. The court on its own motion continues the status conference on this contested matter to April 29, 2020 at 11:30 a.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 25, 2020 at 11:00 a.m. as the status conference on this contested matter is continued to April 29, 2020 at 11:30 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Prior tentative ruling as of 9/16/19. No tentative ruling on the merits. Appearances are required on 9/17/19, but counsel may appear by telephone.

Prior tentative ruling as of 7/15/19. The court has reviewed the joint status report. Appearances are required on 7/16/19, 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, March 25, 2020

Hearing Room 1675

11:00 AM

CONT... Samuel Marquez

Chapter 11

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

Wednesday, March 25, 2020

Hearing Room 1675

11:00 AM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

#18.00 Hearing re: Debtor's motion for entry of an order: (A) authorizing sale of debtor's real property located at 190 North Thorne Avenue, Fresno, California 93706 [APN 458- 250-02] free and clear of liens, claims, encumbrances and interests; and (B) approving overbid procedures

Docket 418

Tentative Ruling:

Updated tentative ruling as of 3/20/20. The court has reviewed debtor's status report filed on 3/19/20. No tentative ruling on the merits. Appearances are required on 3/25/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/18/20. By order entered on 3/17/20, the court has ordered debtor to file a status report on whether the hearing on the sale motions are essential and not amenable to reasonable postponement in light of the current public health emergency in the state and the country by 5:00 p.m. on 3/20/20. The court will update this tentative ruling after debtor files its status report.

Party Information

Debtor(s):

Zacky & Sons Poultry, LLC

Represented By
Ron Bender
Juliet Y Oh

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

Wednesday, March 25, 2020

Hearing Room 1675

11:00 AM

CONT... Zacky & Sons Poultry, LLC

Chapter 11

Todd M Arnold
Lindsey L Smith
Riley C Walter

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

Wednesday, March 25, 2020

Hearing Room 1675

11:00 AM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

#19.00 Cont'd hearing re: Motion for entry of an order authorizing sale of substantially all of the debtor's real estate related assets free and clear of all liens, claims, encumbrances and interests and granting related relief
fr. 8/21/19, 10/22/19, 1/15/20

Docket 248

Tentative Ruling:

Updated tentative ruling as of 3/23/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues the motion for sale in this bankruptcy case scheduled for March 25, 2020 at 11:00 a.m. The court on its own motion continues the status conference to June 3, 2020 at 11:00 a.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 25, 2020 at 11:00 a.m. as the motion for sale is continued to June 3, 2020 at 11:00 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012. Debtor to give notice of the continued sale motion hearing.

Updated tentative ruling as of 3/20/20. The court has reviewed debtor's status report filed on 3/19/20. No tentative ruling on the merits. Appearances are required on 3/25/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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

Wednesday, March 25, 2020

Hearing Room 1675

11:00 AM

CONT... Zacky & Sons Poultry, LLC

Chapter 11

Prior tentative ruling as of 3/18/20. By order entered on 3/17/20, the court has ordered debtor to file a status report on whether the hearing on the sale motions are essential and not amenable to reasonable postponement in light of the current public health emergency in the state and the country by 5:00 p.m. on 3/20/20. The court will update this tentative ruling after debtor files its status report.

Prior tentative ruling as of 1/13/20. No tentative ruling on the merits. Appearances are required on 1/15/20, but counsel may appear by telephone.

Updated tentative ruling as of 10/21/19. In the case status report filed on 10/8/19, debtor stated that it intended to request a continuance of the hearing on the sale of the Stockton property for about 60 days. Appearances are required on 10/22/19, but counsel may appear by telephone.

Prior tentative ruling as of 8/19/19. Off calendar. Continued by stipulation and order to 10/22/19 at 2:30 p.m. No appearances are required on 8/21/19.

Prior tentative ruling as of 6/10/19 at 1:25 p.m. Based on telephone request of counsel for debtor to postpone the hearing from 2:00 p.m. to 3:00 p.m. based on representations that the auction proceedings at 10:00 a.m. are protracted, that it may be difficult for the parties appearing at the auction to appear for the hearing at 2:00 p.m. and that all relevant parties consent to this short postponement, the court on its own motion reschedules the hearing from 2:00 p.m. to 3:00 p.m. Appearances are required at 3:00 p.m., not 2:00 p.m., but counsel may appear by telephone.

Prior tentative ruling as of 6/10/19 at 10:45 a.m. Based on telephone request of counsel for debtor to postpone the hearing from 1:00 p.m. to 2:00 p.m. based on representations that the auction proceedings at 10:00 a.m. are protracted, that it may be difficult for the parties appearing at the auction to appear for the hearing at 1:00 p.m. and that all relevant parties consent to this short postponement, the court on its own motion reschedules the hearing from 1:00 p.m. to 2:00 p.m. Appearances are required at 2:00 p.m., not 1:00 p.m., 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 25, 2020

Hearing Room 1675

11:00 AM

CONT... Zacky & Sons Poultry, LLC

Chapter 11

Prior tentative ruling as of 6/7/19. No tentative ruling on the merits.
Appearances are required on 6/10/19, but counsel may appear by telephone.

Prior tentative ruling as of 5/29/19. No tentative ruling on the merits.
Appearances are required on 5/30/19, but counsel may appear by telephone.

Prior tentative ruling as of 5/13/19. Appearances are required on 5/13/19,
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**

Wednesday, March 25, 2020

Hearing Room 1675

11:00 AM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

#20.00 Cont'd status conference re: Management of chapter 11 case
fr. 8/21/19, 10/22/19, 1/15/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/23/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues the status conference in this bankruptcy case scheduled for March 25, 2020 at 11:00 a.m. The court on its own motion continues the status conference to June 3, 2020 at 11:00 a.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 25, 2020 at 11:00 a.m. as the status conference is continued to June 3, 2020 at 11:00 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012. Debtor to give notice of the continued status conference hearing.

Updated tentative ruling as of 3/20/20. The court has reviewed debtor's status report filed on 3/19/20. No tentative ruling on the merits. Appearances are required on 3/25/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/18/20. By order entered on 3/17/20, the court

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

Wednesday, March 25, 2020

Hearing Room 1675

11:00 AM

CONT... Zacky & Sons Poultry, LLC

Chapter 11

has ordered debtor to file a status report on whether the hearing on the sale motions are essential and not amenable to reasonable postponement in light of the current public health emergency in the state and the country by 5:00 p.m. on 3/20/20. The court will update this tentative ruling after debtor files its status report.

Prior tentative ruling as of 1/13/20. No tentative ruling on the merits. Appearances are required on 1/15/20, but counsel may appear by telephone.

Prior tentative ruling as of 10/21/19. The court has reviewed the case status report filed on 10/8/19. No tentative ruling on the merits. Appearances are required on 10/22/19, but counsel may appear by telephone.

Prior tentative ruling as of 8/19/19. Off calendar. Continued by stipulation and order to 10/22/19 at 2:30 p.m. No appearances are required on 8/21/19.

Prior tentative ruling as of 6/10/19 at 1:25 p.m. Based on telephone request of counsel for debtor to postpone the status conference from 2:00 p.m. to 3:00 p.m. based on representations that the auction proceedings at 10:00 a.m. are protracted, that it may be difficult for the parties appearing at the auction to appear for the status conference at 2:00 p.m. and that all relevant parties consent to this short postponement, the court on its own motion reschedules the status conference from 2:00 p.m. to 3:00 p.m. Appearances are required at 3:00 p.m., not 2:00 p.m., but counsel may appear by telephone.

Prior tentative ruling as of 6/10/19 at 10:45 a.m. Based on telephone request of counsel for debtor to postpone the status conference from 1:00 p.m. to 2:00 p.m. based on representations that the auction proceedings at 10:00 a.m. are protracted, that it may be difficult for the parties appearing at the auction to appear for the status conference at 1:00 p.m. and that all relevant parties consent to this short postponement, the court on its own motion reschedules the status conference from 1:00 p.m. to 2:00 p.m. Appearances are required at 2:00 p.m., not 1:00 p.m., but counsel may appear by telephone.

Prior tentative ruling as of 6/7/19. 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 25, 2020

Hearing Room 1675

11:00 AM

CONT... **Zacky & Sons Poultry, LLC**

Chapter 11

Appearances are required on 6/10/19, but counsel may appear by telephone.

Prior tentative ruling as of 5/29/19. No tentative ruling on the merits.
Appearances are required on 5/30/19, but counsel may appear by telephone.

Prior tentative ruling as of 5/13/19. No tentative ruling on the merits.
Appearances are required on 5/13/19, but counsel may appear by telephone.

Prior tentative ruling as of 4/16/19. Off calendar. The court on its own motion continues the status conference to 4/30/19 at 2:30 p.m. to be conducted with the hearing on debtor's motion for an order approving sale of certain estate assets. No appearances are required on 4/17/19.

Prior tentative ruling as of 1/14/19. Appearances are required on 1/16/19, 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 1/9/19, 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**

Wednesday, March 25, 2020

Hearing Room 1675

11:00 AM

2:19-10596 Robert David Katz and Roslyn Soudry Katz

Chapter 11

#21.00 Hearing re: First and final fee application of Stapke Law LLP, special litigation counsel for debtors

Docket 309

*** VACATED *** REASON: Cont'd from 3/25/20 to 4/29/20 at 11:30 a.m. per order entered on 3/17/20-mb.

Tentative Ruling:

Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues all hearings on the Applications for Fees and Expenses, Docket Numbers 308 and 309, in this bankruptcy case scheduled for March 25, 2020 at 11:00 a.m. The court on its own motion continues these hearings to April 29, 2020 at 11:30 a.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 25, 2020 at 11:00 a.m. as the hearings are continued to April 29, 2020 at 11:30 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Robert David Katz

Represented By
Victor A Sahn
Steven Werth
Cathy Ta

Joint Debtor(s):

Roslyn Soudry Katz

Represented By
Victor A Sahn
Steven Werth
Cathy Ta

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

Wednesday, March 25, 2020

Hearing Room 1675

11:00 AM

CONT... Robert David Katz and Roslyn Soudry Katz

Chapter 11

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

Wednesday, March 25, 2020

Hearing Room 1675

11:00 AM

2:19-10596 Robert David Katz and Roslyn Soudry Katz

Chapter 11

#22.00 Cont'd hearing re: Second and final fee application of SulmeyerKupetz, a professional corporation general bankruptcy counsel for debtors fr. 4/29/20

Docket 308

*** VACATED *** REASON: Cont'd from 3/25/20 to 4/29/20 at 11:30 a.m. per order entered on 3/17/20-mb.

Tentative Ruling:

Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues all hearings on the Applications for Fees and Expenses, Docket Numbers 308 and 309, in this bankruptcy case scheduled for March 25, 2020 at 11:00 a.m. The court on its own motion continues these hearings to April 29, 2020 at 11:30 a.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 25, 2020 at 11:00 a.m. as the hearings are continued to April 29, 2020 at 11:30 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Robert David Katz

Represented By
Victor A Sahn
Steven Werth
Cathy Ta

Joint Debtor(s):

Roslyn Soudry Katz

Represented By
Victor A Sahn
Steven Werth

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

Wednesday, March 25, 2020

Hearing Room 1675

11:00 AM

CONT...

**Robert David Katz and Roslyn Soudry Katz
Cathy Ta**

Chapter 11

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

Tuesday, March 31, 2020

Hearing Room 1675

10:30 AM

2:19-23938 Margaret Ramirez

Chapter 7

#1.00 Cont'd hearing re: Motion for relief from stay
(JPMorgan Chase Bank, N.A. VS Debtor)
fr. 3/3/20

Docket 10

Tentative Ruling:

Updated tentative ruling as of 3/26/20. Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 court withdraws its standing objection in light of the debtor's discharge being entered on 3/2/20, meaning the stay is terminated as to the debtor under 11 U.S.C. 362(c)(2)(C) and the Chapter 7 trustee filed a no distribution report meaning that no assets, including the subject collateral, will be administered in this case, and there is no bankruptcy purpose in maintaining the stay as to the subject collateral. The 14-day waiting period under FRBP 4001(a)(3) is waived.

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

No appearances are required on 3/31/20.

No updated tentative ruling as of 3/20/20 in light of the court's pending request for movant to submit admissible evidence of standing.

Prior tentative ruling. Movant's evidence of standing is not properly authenticated by a declaration under penalty of perjury by someone competent to testify, and thus, the evidence of standing is inadmissible

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

Tuesday, March 31, 2020

Hearing Room 1675

10:30 AM

CONT... Margaret Ramirez

Chapter 7

(Exhibit 2, purported title information, lacks foundation as to what it is since it is not apparently a government record of title and is inadmissible hearsay). LBR 4001-1(a) and 9013-1(i); FRE 602, 801, 802, 803(8), 901, 902. Deny without prejudice, or continue for submission of admissible evidence of movant's standing. Appearances are required on 3/3/20, but counsel may appear by telephone.

Party Information

Debtor(s):

Margaret Ramirez

Represented By
Jonathan J. Lo

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 31, 2020

Hearing Room 1675

10:30 AM

2:20-12407 Todd Bertrang

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Ivory Holdings, LLC VS Debtor)

Docket 12

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 11 requesting 180 day period of effectiveness of stay relief in any bankruptcy case relating to debtor for the reasons stated in the moving papers. Deny requests for extraordinary relief in paragraphs 3 and 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.

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

No appearances are required on 3/31/20.

Party Information

Debtor(s):

Todd Bertrang

Represented By
R Grace Rodriguez

Movant(s):

Ivory Holdings LLC

Represented By
Eric A Mitnick

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

Tuesday, March 31, 2020

Hearing Room 1675

10:30 AM

CONT... Todd Bertrang

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, March 31, 2020

Hearing Room 1675

1:30 PM

2:16-24760 Philip Joseph Jaurigui

Chapter 7

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

#3.00 Cont'd pretrial conference re: Complaint to determine nondischargeability of debt (11 U.S.C. §§523(a)(2) and (a)(6)) fr. 10/1/19, 12/3/19, 1/28/20

Docket 1

***** VACATED *** REASON: Dismissed per stip & order entered on 3/4/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/20/20. Off calendar. Adversary proceeding voluntarily dismissed by stipulation and order. No appearances are necessary.

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, March 31, 2020

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

#4.00 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. 3/26/19, 6/25/19, 10/22/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion continues the status conference in this adversary proceeding scheduled for March 31, 2020 at 1:30 p.m. to May 5, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference is continued to May 5, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012. Counsel for plaintiff is ordered to give notice to the other parties.

Prior tentative ruling as of 10/21/19. Appearances are required on 10/22/19, but counsel may appear by telephone.

tentative ruling as of 6/24/19. Schedule a pretrial conference for this adversary proceeding if the matter is not being settled. Appearances are required on 6/25/19, 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 31, 2020

Hearing Room 1675

1:30 PM

CONT... Jong J Kim

Chapter 7

Prior tentative ruling as of 3/25/19. The court has reviewed the stipulation of the parties regarding continuance of scheduled dates and hearings filed on 2/27/19 and based on that stipulation, set a new discovery cutoff date of 5/29/19 and a post-discovery status conference on 6/25/19 at 1:30 p.m. (status conferences are held on Tuesdays at 1:30 p.m.) with a joint status report due on 6/18/19. Order the matter to mediation, and the parties to file a selection of mediator and alternate mediator by 4/15/19 and complete mediation by 6/25/19. No appearances are required on 9/18/18. Plaintiffs to submit a proposed scheduling order within 7 days.

Prior 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, March 31, 2020

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, March 31, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01250 Goodrich v. EBAY, Inc.

#5.00 Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542
fr. 10/1/19, 11/5/19

Docket 1

***** VACATED *** REASON: Notice of voluntary dismissal filed on 12/12/19-mb.**

Tentative Ruling:

Off calendar. Adversary proceeding voluntarily dismissed by notice filed on 12/12/19. No appearances are necessary.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

EBAY, Inc.

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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

Tuesday, March 31, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01251 Goodrich v. Eghbali

- #6.00** Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542
fr. 10/1/19, 11/5/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion continues the status conference in this adversary proceeding scheduled for March 31, 2020 at 1:30 p.m. to May 5, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference is continued to May 5, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report. Set a discovery cutoff date of 2/28/20, and a post-discovery status conference on 3/31/20 at 1:30 p.m. with a joint status report due on 3/24/20. Appearances are required on 10/22/19, but counsel may appear by

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

Tuesday, March 31, 2020

Hearing Room 1675

1:30 PM

CONT... SOCALDEAL INC

Chapter 7

telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Michael Eghbali

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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

Tuesday, March 31, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01276 Goodrich v. Shemtov

- #7.00** Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542
fr. 10/22/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion continues the status conference in this adversary proceeding scheduled for March 31, 2020 at 1:30 p.m. to May 5, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference is continued to May 5, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012. Counsel for plaintiff is ordered to give notice to the other parties.

Prior tentative ruling. The court has reviewed the joint status report. Set a discovery cutoff date of 2/28/20, and a post-discovery status conference on 3/31/20 at 1:30 p.m. with a joint status report due on 3/24/20. Order the

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, March 31, 2020

Hearing Room 1675

1:30 PM

CONT... SOCALDEAL INC

Chapter 7

matter to mediation, and mediation to be completed by 3/31/20.
Appearances are required on 10/22/19, but counsel may appear by
telephone. Plaintiff to submit a proposed scheduling order within 7 days of
hearing.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

George Shemtov

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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

Tuesday, March 31, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01277 Goodrich v. Shemtov

- #8.00** Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542
fr. 10/22/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion continues the status conference in this adversary proceeding scheduled for March 31, 2020 at 1:30 p.m. to May 5, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference is continued to May 5, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012. Counsel for plaintiff is ordered to give notice to the other parties.

Prior tentative ruling. The court has reviewed the joint status report. Set a discovery cutoff date of 2/28/20, and a post-discovery status conference on 3/31/20 at 1:30 p.m. with a joint status report due on 3/24/20. Order the

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

Tuesday, March 31, 2020

Hearing Room 1675

1:30 PM

CONT... SOCALDEAL INC

Chapter 7

matter to mediation, and mediation to be completed by 3/31/20.
Appearances are required on 10/22/19, but counsel may appear by
telephone. Plaintiff to submit a proposed scheduling order within 7 days of
hearing.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Jack Shemtov

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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

Tuesday, March 31, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01278 Goodrich v. Shemtov

- #9.00** Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542
fr. 10/22/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion continues the status conference in this adversary proceeding scheduled for March 31, 2020 at 1:30 p.m. to May 5, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference is continued to May 5, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012. Counsel for plaintiff is ordered to give notice to the other parties.

Prior tentative ruling. The court has reviewed the joint status report. Set a discovery cutoff date of 2/28/20, and a post-discovery status conference on 3/31/20 at 1:30 p.m. with a joint status report due on 3/24/20. Order the

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CONT... SOCALDEAL INC

Chapter 7

matter to mediation, and mediation to be completed by 3/31/20.
Appearances are required on 10/22/19, but counsel may appear by
telephone. Plaintiff to submit a proposed scheduling order within 7 days of
hearing.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Najid Shemtov

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, March 31, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01279 Goodrich v. Shemtov

- #10.00** Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542
fr. 10/22/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion continues the status conference in this adversary proceeding scheduled for March 31, 2020 at 1:30 p.m. to May 5, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference is continued to May 5, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012. Counsel for plaintiff is ordered to give notice to the other parties.

Prior tentative ruling. The court has reviewed the joint status report. Set a discovery cutoff date of 2/28/20, and a post-discovery status conference on 3/31/20 at 1:30 p.m. with a joint status report due on 3/24/20. Order the

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CONT... SOCALDEAL INC

Chapter 7

matter to mediation, and mediation to be completed by 3/31/20.
Appearances are required on 10/22/19, but counsel may appear by
telephone. Plaintiff to submit a proposed scheduling order within 7 days of
hearing.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Rojeh Shemtov

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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

Tuesday, March 31, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01280 Goodrich v. Shemtov

- #11.00** Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542
fr. 10/22/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion continues the status conference in this adversary proceeding scheduled for March 31, 2020 at 1:30 p.m. to May 5, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference is continued to May 5, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report. Set a discovery cutoff date of 2/28/20, and a post-discovery status conference on 3/31/20 at 1:30 p.m. with a joint status report due on 3/24/20. Appearances are required on 10/22/19, but counsel may appear by

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CONT... SOCALDEAL INC

Chapter 7

telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Simon Shemtov

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, March 31, 2020

Hearing Room 1675

1:30 PM

2:18-24849 Susanne Barbara Mendoza

Chapter 7

Adv#: 2:19-01095 Tannehill v. Mendoza

#12.00 Cont'd status conference re: Complaint to determine dischargeability of debt under 11 U.S.C. §§523(a)(2)(A), 523(a)(4) and 523(a)(6) fr. 6/4/19, 6/11/19

Docket 1

***** VACATED *** REASON: Notice of voluntary dismissal filed on 3/2/20-
mb.**

Tentative Ruling:

Off calendar. Adversary proceeding voluntarily dismissed by notice filed on 3/2/20. No appearances are necessary.

Party Information

Debtor(s):

Susanne Barbara Mendoza

Represented By
Marc A Goldbach

Defendant(s):

Susanne Barbara Mendoza

Pro Se

Plaintiff(s):

Byron Tannehill

Represented By
Brett Ramsaur

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
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Tuesday, March 31, 2020

Hearing Room 1675

1:30 PM

2:19-10246 Dean Henrik Okland

Chapter 7

Adv#: 2:19-01367 Bandy et al v. Okland

#13.00 Cont'd status conference re: Complaint to determine dischargeability of debt (11 U.S.C. §§523(a)(2)(A) and 523(a)(4) fr. 11/12/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/20/20. Off calendar. The court has reviewed plaintiff's unilateral status report filed on 3/16/20, stating that he has filed a motion for default judgment set for hearing on 4/14/20 at 2:30 p.m. The court on its own motion continues the status conference to be conducted with the hearing on plaintiff's motion for default judgment on 4/14/20 at 2:30 p.m. No appearances are required on 3/31/20.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report. Set a discovery cutoff date of 2/28/20, and a post-discovery status conference on 3/31/20 at 1:30 p.m. with a joint status report due on 3/24/20. These dates will likely be moot if a motion for default judgment is filed and ruled upon in the meantime. Appearances are optional on 11/6/19, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Dean Henrik Okland	Pro Se
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Defendant(s):

Dean Henrik Okland	Pro Se
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Plaintiff(s):

Garrett Bandy	Represented By David S Hagen
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Heather Foster	Represented By
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Los Angeles
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1:30 PM

CONT... Dean Henrik Okland

Chapter 7

David S Hagen

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Jeffrey S Shinbrot

**United States Bankruptcy Court
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Hearing Room 1675

1:30 PM

2:19-10246 Dean Henrik Okland

Chapter 7

Adv#: 2:19-01410 Dorfman v. Okland

#14.00 Cont'd status conference re: Complaint to determine dischargeability of debt (11 U.S.C. §§523(a)(2)(A) and 523(a)(4) fr. 11/19/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/20/20. Off calendar. The court has reviewed plaintiff's unilateral status report filed on 3/16/20, stating that he will be filing a motion for default judgment shortly. The court on its own motion continues the status conference for about 60 days to 5/26/20 at 1:30 p.m. to allow time for plaintiff to prepare and file his motion for default judgment. No appearances are required on 3/31/20.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report. Set a discovery cutoff date of 2/28/20, and a post-discovery status conference on 3/31/20 at 1:30 p.m. with a joint status report due on 3/24/20. These dates will likely be moot if a motion for default judgment is filed and ruled upon in the meantime. Appearances are optional on 11/19/19, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Dean Henrik Okland	Pro Se
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Defendant(s):

Dean Henrik Okland	Pro Se
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Plaintiff(s):

Chuck Dorfman	Represented By David S Hagen
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CONT... Dean Henrik Okland

Chapter 7

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Jeffrey S Shinbrot

**United States Bankruptcy Court
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Tuesday, March 31, 2020

Hearing Room 1675

1:30 PM

2:19-12016 MINSEOK LEE

Chapter 7

Adv#: 2:19-01163 Starbucks Corporation v. Lee

#15.00 Cont'd status conference re: Complaint and demand for jury trial
fr. 10/1/19, 10/22/19, 1/28/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion continues the status conference in this adversary proceeding scheduled for March 31, 2020 at 1:30 p.m. to May 5, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference is continued to May 5, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012. Counsel for plaintiff is ordered to give notice to the other parties.

Prior tentative ruling as of 1/27/20. The court has reviewed the parties' unilateral status reports. No tentative ruling on the merits. Appearances are required on 1/28/20, but counsel may appear by telephone.

Prior tentative ruling as of 10/21/19. No tentative ruling on the merits. The court is of the view that there is no right to jury trial on plaintiff's debt dischargeability claims since such claims did not exist at common law, so no

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CONT... MINSEOK LEE

Chapter 7

Seventh Amendment right to jury trial, and intends to order plaintiff to brief its claimed right to jury trial. Appearances are required on 10/22/19, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report, indicating that defendant has filed a motion to dismiss the amended complaint noticed for hearing on 10/22/19 at 2:30 p.m. The court on its own motion continues the status conference to 10/22/19 at 2:30 p.m. to be conducted with the hearing on the motion to dismiss the amended complaint since that matter will have an impact on the status of the adversary proceeding. No appearances are required on 10/1/19.

Party Information

Debtor(s):

MINSEOK LEE

Represented By
Jaenam J Coe

Defendant(s):

Minseok Lee

Pro Se

Plaintiff(s):

Starbucks Corporation

Represented By
Shayne Figgins
Maria Keller

Trustee(s):

David M Goodrich (TR)

Pro Se

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Tuesday, March 31, 2020

Hearing Room 1675

1:30 PM

2:19-15356 Ara Ohannes Keyllian

Chapter 7

Adv#: 2:19-01267 Ayrapetyan v. Keyllian

#16.00 Cont'd status conference re: Complaint for nondischargeability of debt pursuant to 11 U.S.C. §523(a)(6), 11 U.S.C. §523(a)(2)(A), 11 U.S.C. §727(a)(2)(A), and 11 U.S.C. §727(a)(4)(A) fr. 10/15/19

Docket 1

***** VACATED *** REASON: Cont'd from 3/31/20 to 5/5/20 at 1:30 p.m. per order entered on 3/18/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/20/20. Updated tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion continues the status conference in this adversary proceeding scheduled for March 31, 2020 at 1:30 p.m. to May 5, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference is continued to May 5, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Prior tentative ruling. The court has reviewed the joint status report. Set a discovery cutoff date of 2/28/20, and a post-discovery status conference on 3/31/20 at 1:30 p.m. with a joint status report due on 3/24/20. Order the matter to mediation, and mediation to be completed by 3/31/20. Appearances are required on 10/8/19, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

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1:30 PM

CONT... Ara Ohannes Keyllian

Chapter 7

Party Information

Debtor(s):

Ara Ohannes Keyllian

Represented By
Eileen Keusseyan

Defendant(s):

Ara Keyllian

Pro Se

Plaintiff(s):

Anahid Ayrapetyan

Represented By
Linet Megerdomian

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
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Tuesday, March 31, 2020

Hearing Room 1675

1:30 PM

2:19-15982 Daniel Hyun You

Chapter 7

Adv#: 2:19-01275 Avery v. Lee et al

#17.00 Cont'd status conference re: Removal of state court action to federal bankruptcy court
[Orange Country Superior Court case no. 30-2018-00965427-CU-OR-CJC]
fr. 10/1/19, 1/28/20

Docket 1

***** VACATED *** REASON: Cont'd from 3/31/20 to 6/2/20 at 1:30 p.m.
per stip & order entered on 3/18/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/20/20. Off calendar. Continued by stipulation and order to 6/2/20 at 1:30 p.m. No appearances are required on 3/31/20.

Prior tentative ruling as of 1/27/20. Off calendar. Continued by stipulation and order to 3/31/20 at 1:30 p.m. No appearances are required on 1/28/20.

Prior tentative ruling. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 10/1/19, but counsel may appear by telephone.

Party Information

Debtor(s):

Daniel Hyun You

Represented By
David Marh

Defendant(s):

Eui Jung Lee

Pro Se

Daniel H. You

Pro Se

Jin You

Pro Se

In Kyu Kang

Pro Se

Hye Kang

Pro Se

**United States Bankruptcy Court
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Hearing Room 1675

1:30 PM

CONT... Daniel Hyun You

Chapter 7

Plaintiff(s):

Wesley H. Avery

Represented By
Laila Masud
D Edward Hays

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, March 31, 2020

Hearing Room 1675

1:30 PM

2:19-15982 Daniel Hyun You

Chapter 7

Adv#: 2:19-01282 AJU Small but Great Fund 5, a Korean entity v. You

- #18.00** Cont'd status conference re: Complaint for determination of non-dischargeability of debt:
1. For fraudulent statements re non-financial condition (11 U.S.C. §523(a)(2)(A));
2. For fraudulent written statements re financial condition (11 U.S.C. §523(a)(2)(B))
3. Fraud/defalcation while acting in fiduciary capacity, embezzlement, or larceny (11
U.S.C. §523(a)(4)); 4. Willful and malicious injury to another entity (11 U.S.C. §523(a)
(6); 5. Securities fraud (11 U.S.C. §523(a)(19))
fr. 10/22/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion continues the status conference in this adversary proceeding scheduled for March 31, 2020 at 1:30 p.m. to May 5, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference is continued to May 5, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012. Counsel for plaintiff was ordered to give notice to the other parties and has given notice.

Prior tentative ruling. The court has reviewed the joint status report. Plaintiff should discuss to what extent it is relying upon claim and/or issue preclusion

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1:30 PM

CONT...

Daniel Hyun You

Chapter 7

to prove its claims, and perhaps this case is amenable to cross-motions for summary judgment or a trial upon stipulated facts. Set a discovery cutoff date of 2/28/20, and a post-discovery status conference on 3/31/20 at 1:30 p.m. with a joint status report due on 3/24/20. Order the matter to mediation, and mediation to be completed by 3/31/20. Appearances are required on 10/22/19. After the status conference, plaintiff is to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Daniel Hyun You

Represented By
David Marh

Defendant(s):

Daniel Hyun You

Pro Se

Plaintiff(s):

AJU Small but Great Fund 5, a

Represented By
James E Till
Pio S Kim
Alexander Su

Trustee(s):

Wesley H Avery (TR)

Represented By
Laila Masud
D Edward Hays

**United States Bankruptcy Court
Central District of California
Los Angeles
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Hearing Room 1675

1:30 PM

2:20-12051 Reyna Maria Taylor

Chapter 7

#19.00 Status conference re: Involuntary petition

Docket 1

***** VACATED *** REASON: Cont'd from 3/31/20 to 5/5/20 at 1:30 p.m.
per order entered on 3/19/20-mb.**

Tentative Ruling:

Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion continues the status conference in this adversary proceeding scheduled for March 31, 2020 at 1:30 p.m. to May 5, 2020 at 1:30 p.m. as set forth in a prior order entered on March 19, 2020. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference is continued to May 5, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Reyna Maria Taylor

Pro Se

**United States Bankruptcy Court
Central District of California
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Hearing Room 1675

2:30 PM

2:13-17409 Ayers Bath (U.S.A.), Co.,Ltd.

Chapter 7

#20.00 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. 11/19/19, 12/17/19, 2/18/20

Docket 118

Tentative Ruling:

Updated tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion continues the status conference in this adversary proceeding scheduled for March 31, 2020 at 1:30 p.m. to May 5, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference is continued to May 5, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012. If the parties do not submit a stipulation and proposed order for continuance, counsel for plaintiff is ordered to give notice to the other parties.

Prior tentative ruling as of 2/14/20. Off calendar. Continued by stipulation and order to 3/31/20 at 2:30 p.m. No appearances are required on 2/17/19.

Prior tentative ruling as of 12/16/19. Off calendar. Continued by stipulation and order to 2/18/20 at 2:00 p.m. No appearances are required on 12/17/19.

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2:30 PM

CONT... Ayers Bath (U.S.A.), Co.,Ltd.

Chapter 7

Prior tentative ruling as of 6/24/19. No tentative ruling on the merits.
Appearances are required on 6/25/19, but counsel may appear by telephone.

Prior 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, March 31, 2020

Hearing Room 1675

2:30 PM

2:17-21018 Prototype Engineering & Manufacturing, Inc.

Chapter 7

Adv#: 2:19-01332 Avery et al v. Leya Technologies, LLC et al

#21.00 Hearing re: Motion to expunge lis pendens

Docket 63

***** VACATED *** REASON: Cont'd from 3/31/20 to 4/14/20 at 1:00 p.m.
per stip & order entered on 3/18/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 4/14/20 at 2:30 p.m. No appearances are required on 3/31/20.

Party Information

Debtor(s):

Prototype Engineering &

Represented By
Carol Chow

Defendant(s):

Leya Technologies, LLC

Represented By
Brian L Davidoff

Bahram Bordbar

Represented By
Brian L Davidoff

Malahat Bordbar

Represented By
Brian L Davidoff

Sara Bordbar

Represented By
Brian L Davidoff

Plaintiff(s):

Jon and Maria Ternstrom

Represented By
Kevin M Davis
Todd E Phillips

Cameron and Michelle Witzler

Represented By
Kevin M Davis
Todd E Phillips

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

Tuesday, March 31, 2020

Hearing Room 1675

2:30 PM

CONT... Prototype Engineering & Manufacturing, Inc.

Chapter 7

Colette Carpenter, both individually

Represented By
Kevin M Davis
Todd E Phillips

Wesley H Avery

Represented By
Carmela Pagay
Irving M Gross

Trustee(s):

Wesley H Avery (TR)

Represented By
Timothy J Yoo
Carmela Pagay
Lindsey L Smith
Irving M Gross

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

Wednesday, April 1, 2020

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, 6/26/19, 10/23/19, 1/29/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/23/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues the status conference in this bankruptcy case scheduled for April 1, 2020 at 11:00 a.m. The court on its own motion continues the status conference to May 13, 2020 at 11:00 a.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on April 1, 2020 at 11:00 a.m. as the status conference is continued to May 13, 2020 at 11:00 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Updated tentative ruling as of 3/20/20. No tentative ruling on the merits. Appearances are required on 4/1/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 1/27/20. No tentative ruling on the merits. Appearances are required on 1/29/20, 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 1, 2020

Hearing Room 1675

11:00 AM

CONT... Brunelle Equities LLC

Chapter 11

Prior tentative ruling as of 10/21/19. No tentative ruling on the merits.
Appearances are required on 10/23/19, but counsel may appear by
telephone.

Prior tentative ruling as of 6/24/19. No tentative ruling on the merits.
Appearances are required on 6/26/19, 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, April 1, 2020

Hearing Room 1675

11:00 AM

2:12-15626 Forbco Sizzler Partners, L.P.

Chapter 11

#2.00 Hearing re: Motion to convert cases to chapter 7

Docket 29

Tentative Ruling:

Revised tentative ruling as of 3/23/20. The court is inclined to grant the motion to convert for the reasons stated in the moving papers. First, cause is shown under 11 U.S.C. 1112(b)(4)(I) and (N) based on the undisputed evidence of debtor's failure to pay postconfirmation taxes and to make timely plan payments. Conversion to Chapter 7 rather than dismissal or appointment of a Chapter 11 trustee appears to be in the best interest of creditors and the estate to realize whatever value is left in the estate and to investigate and consider the postconfirmation actions of debtor and its finances. While there may be evidence of unusual circumstances here from the COVID-19 public health emergency, debtor has not met its burden under 11 U.S.C. 1112(b)(2)(B) of showing a reasonable justification for its failures to pay postconfirmation taxes and to make timely plan payments and that such failures can be cured in a reasonable period of time. The only reason that the court would not grant the motion to convert is a showing by debtor of a specific and definite plan to realize some value to the estate if it is allowed to continue to operate, but given that it has been 7 years since confirmation and there have been various unsuccessful attempts to market the remaining stores, debtor will need to make a strong showing of an alternative path to realizing value for the creditors and the estate.

Appearances are required on 4/1/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties.

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

Wednesday, April 1, 2020

Hearing Room 1675

11:00 AM

CONT... Forbco Sizzler Partners, L.P.

Chapter 11

Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Forbco Sizzler Partners, L.P.

Represented By

Robert E Opera

Sean A OKeefe

Alastair M Gesmundo

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

Wednesday, April 1, 2020

Hearing Room 1675

11:00 AM

2:12-15627 W & J Higgins Investments, L.P.

Chapter 11

#3.00 Hearing re: Motion to convert cases to chapter 7

Docket 26

Tentative Ruling:

Revised tentative ruling as of 3/23/20. See tentative ruling for matter number 2.

Appearances are required on 4/1/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

W & J Higgins Investments, L.P.

Represented By
Robert E Opera
Sean A OKeefe
Andrew B Levin

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

Wednesday, April 1, 2020

Hearing Room 1675

11:00 AM

2:13-28671 Elbiali Ismail Osman

Chapter 11

#4.00 Cont'd hearing re: California Department of Tax and Fee Administration's motion to dismiss chapter 11 bankruptcy case for cause under 11 U.S.C. 1112 or in the alternative to convert case to chapter 7
fr. 3/4/20

Docket 311

***** VACATED *** REASON: Continued from 4-1-20 to 6-3-20 at 11 a.m.
per stip and order entered on 3-18-20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 6/3/20 at 11:00 a.m. No appearances are required on 4/1/20.

Party Information

Debtor(s):

Elbiali Ismail Osman

Represented By

Carlos F Negrete - INACTIVE -
Alan W Forsley
Robert G Uriarte
Raymond H. Aver

Movant(s):

California Department of Tax and

Represented By

Teaira L Law
Lisa W Chao

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

Wednesday, April 1, 2020

Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#5.00 Hearing re: Debtor's application for authority to employ The Orantes Law Firm, P.C. as general insolvency counsel as of January 22, 2020

Docket 247

Tentative Ruling:

Revised tentative ruling as of 3/23/20. Approve in part and deny in part application to employ the Orantes Law Firm P.C. as general insolvency counsel for debtor in possession. Employment of proposed counsel is a reasonable exercise of debtor's business judgment. Although creditor Law Offices of Michael Jay Berger ("Berger") lacks standing to object to use of cash collateral since it is not the secured creditor whose cash collateral is being used, debtor may not use cash collateral without consent of the affected secured creditor (here, Greenbrier LLC) or authorization of the court upon motion pursuant to FRBP 4001(b). The application does not meet the requirements of FRBP 4001(b) for debtor to use the secured creditor's cash collateral. Debtor may use unencumbered funds for a postpetition retainer since 11 U.S.C. 328(a) generally recognizes the use of retainers for employed professionals (though any compensation drawn down from the retainer is subject to the court's review and approval under 11 U.S.C. 330, and an earned on receipt retainer is not permitted), but must obtain consent of the secured creditor or authorization of the court to use cash collateral for such a purpose, which was not authorized by the prior cash collateral order. To the extent that cash collateral is being used for the postpetition retainer, such use is denied without prejudice to debtor's obtaining consent to such use by stipulation or obtaining authorization from the court upon motion. Berger's objection to the postpetition retainer based on *In re Knudsen Corp.*, 84 B.R. 668 (9th Cir. BAP 1988) lacks merit since that case is not applicable since it dealt specifically with periodic fee payments of an estate professional drawn down from a retainer before formal court approval, and not with the allowance of a postpetition retainer in general.

Appearances are required on 4/1/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America

**United States Bankruptcy Court
Central District of California
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Wednesday, April 1, 2020

Hearing Room 1675

11:00 AM

CONT... Charles Peters

Chapter 11

and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Giovanni Orantes
Luis A Solorzano

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

Friday, April 3, 2020

Hearing Room 1675

10:00 AM

2:19-15184 Edmond Zarookian

Chapter 7

#1.00 EVIDENTIARY HEARING RE: United States Trustee's motion to dismiss chapter 7 case with a refiling bar pursuant to 11 U.S.C. §707(b)(3)(A), or, in the alternative, to further extend time to file a complaint under §727 fr. 2/11/20, 3/3/20

Docket 38

***** VACATED *** REASON: Cont'd from 4/3/20 to 5/8/20 at 10:00 a.m. per stip & order entered on 3/20/20-mb**

Courtroom Deputy:

[Cont'd from 4/3/20 to 5/8/20 at 10:00 a.m. per stip & order entered on 3/20/20]

Tentative Ruling:

Updated tentative ruling as of 3/20/20. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the chief judge of the United States District Court for the Central District of California issued an Order of the Chief Judge No. 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion must and does vacate the evidentiary hearing for the contested matter of the motion of United States Trustee to dismiss this bankruptcy case with a one-year refiling bar scheduled for April 3, 2020 at 10:00 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012 because in person appearances are not permitted in the courthouse on that date. No appearances are required on April 3, 2020 at 10:00 a.m. as the evidentiary hearing on that date is vacated. Based on the stipulation of the parties, the court has issued an order approving the stipulation and continued the evidentiary hearing to May

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

Friday, April 3, 2020

Hearing Room 1675

10:00 AM

CONT... Edmond Zarookian
8, 2020 at 10:00 a.m.

Chapter 7

Prior tentative ruling. Treat the motion of United States Trustee to dismiss with a one year refiling bar on grounds of debtor's bad faith as a contested matter under FRBP 9014 since assessment of debtor's good or bad faith is dependent on credibility determinations of debtor's testimony in his declaration and the supporting evidence of the United States Trustee, or alternatively, deny the motion to dismiss without prejudice, and allow United States Trustee an extension of 60 days from the date of the hearing to file a complaint to deny discharge under 11 U.S.C. 727 for cause shown under FRBP 4004(b) in that the United States Trustee has diligently pursued his investigation of possible actions against debtor before the deadline of 1/6/20 and timely filed the motion to extend as shown by his office's examination of debtor at the 11 U.S.C. 341(a) meetings of creditors on 6/4/19, 9/24/19 and 10/21/19 as well as extensive forensic examination of debtor's credit card transactions and elected to seek dismissal first rather than filing an adversary proceeding to deny discharge, which would have been moot if the dismissal had been granted, and that a short extension of time of 60 days for the preparation of a complaint to deny discharge would not prejudice debtor or unduly delay the administration of this case. *In re Jahangiri*, No. 18-31609-dwh7, 2018 WL 5255216 (Bankr. D. Or. 2018) (collecting cases).
Appearances are required on 3/3/20, but counsel may appear by telephone.

Party Information

Debtor(s):

Edmond Zarookian

Represented By
Sevan Gorginian

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 7, 2020

Hearing Room 1675

10:30 AM

2:19-10326 Javier Garcia and Deanna Garcia

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(Santander Consumer USA Inc. VS Debtors)

Docket 58

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 of the hearing date. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

No appearances are required on 4/7/20.

Party Information

Debtor(s):

Javier Garcia

Represented By
Sam Benevento

Joint Debtor(s):

Deanna Garcia

Represented By
Sam Benevento

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 7, 2020

Hearing Room 1675

10:30 AM

2:19-15982 Daniel Hyun You

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(JPMorgan Chase Bank, N.A. VS Debtor)

Docket 67

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 of the hearing date. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

No appearances are required on 4/7/20.

Party Information

Debtor(s):

Daniel Hyun You

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Laila Masud
D Edward Hays
Chad V Haes

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

Tuesday, April 7, 2020

Hearing Room 1675

10:30 AM

2:19-24787 Bradley Edward Barnes and Allison Platz Barnes

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(WVBAGD, LLC VS Debtors)

Docket 26

Tentative Ruling:

Grant in part as to prospective relief from the automatic stay, and Deny in part without prejudice, or continue to allow creditor to make a proper showing for retroactive relief from stay under the applicable legal standard.

Creditor is seeking relief from stay in a prepetition action, specifically, a cross-action initiated by Debtor against Creditor in state court. Creditor seeks to retroactively validate its postpetition actions in the state court proceeding, which involved a prepetition motion to compel discovery and request for discovery sanctions and fees against Debtor. Subsequent to the state court litigation proceedings compelling discovery and awarding sanctions against Debtor, the Chapter 7 trustee abandoned the asset of Debtor's cross-action against Creditor, and the parties now acknowledge that the stay no longer applies to the state court litigation. The court is inclined to grant the motion in part, only as to prospective relief because the automatic stay no longer applies to the claim abandoned by the Chapter 7 trustee, as acknowledged by both parties.

The court first observes that the stay does not generally apply to a party defending itself in a prepetition lawsuit brought by a debtor. *In re Merrick*, 175 B.R. 333, 336-337 (9th Cir. BAP 1994). However, a party seeking affirmative relief against a debtor is subject to the automatic stay under 11 U.S.C. 362(a) (1) and (2) as a commencement or continuance of a proceeding against the debtor or enforcement of an order or judgment against the debtor, and only defensive actions for a party to defend itself against a debtor's action are not subject to the stay. *See In re Muhlig*, 494 B.R. 755, 765-767 (Bankr. S.D. Fla. 2013) (seeking summary judgment postpetition on a debtor's claim as an estate asset was affirmative and not defensive action against estate property,

**United States Bankruptcy Court
Central District of California
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Tuesday, April 7, 2020

Hearing Room 1675

10:30 AM

CONT... Bradley Edward Barnes and Allison Platz Barnes
and thus subject to the automatic stay).

Chapter 7

Discovery proceedings against a debtor are subject to the automatic stay because it is commencing or continuing a proceeding against the debtor under 11 U.S.C. 362(a), *Scherer v. Carroll*, 150 B.R. 549, 552 (D. Vt. 1993); accord, *Matter of United Imports Corp.*, 200 B.R. 234, 237 (Bankr. D. Neb. 1996). It is arguable that these cases are distinguishable because they did not involve debtor-initiated litigation as indicated by *In re Way*, 229 B.R. 11, 13-14 (9th Cir. BAP 1998) (citing *In re Merrick*, 175 B.R. 333 (9th Cir. BAP 1994)) and *In re Miller*, 262 B.R. 499, 507 and n.11 (9th Cir. BAP 2001)(noting that the stay of litigation does not apply to claims against nondebtor parties or claims initiated by a debtor). On the other hand, a party seeking affirmative relief postpetition against a debtor based on alleged prepetition misconduct is within the literal terms of the stay because it is commencement or continuance of an action to enforce a prepetition claim against the debtor. *In re Merrick*, 173 B.R. at 335 n.2, 338 (creditor awarded costs against debtor in state court action postpetition did not violate the stay because he did not proceed with the postpetition hearing, brought no counterclaim, and took no affirmative act to prosecute his interest postpetition).

In the Ninth Circuit, there is a narrow exception to the applicability of the automatic stay of discovery proceedings against a debtor for civil contempt proceedings, *In re Dingley*, 852 F.3d 1143 (9th Cir. 2017), and sanctions proceedings, *In re Berg*, 230 F.3d 1165, 1166 (9th Cir. 2000), to enforce a discovery order under the government regulatory exemption of 11 U.S.C. 362(b)(4) and effectuate the public policy of courts enforcing their own powers and deterring litigation misconduct. See *United Artists Corp. v. United Artist Studios, LLC, et al.*, No. CV-19-828-MWF (MAAx), 2019 WL 3293650 (C.D. Cal. Dec. 18, 2019) (the district court on review of a magistrate judge's discovery order, holding that the government regulatory exception does not apply to the enforcement of a discovery order so that a party can continue its litigation efforts, and "the exception applies only to enforce sanctions **or** contempt proceedings to uphold the dignity of the court") (emphasis added).

In *Porter v. Nabors Drilling USA, L.P.*, the Ninth Circuit recognized that the governmental regulatory exception generally applies to "actions by courts to

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Tuesday, April 7, 2020

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10:30 AM

CONT... **Bradley Edward Barnes and Allison Platz Barnes** **Chapter 7**

impose sanctions in order to enforce their own rules or police the members of their bar[.]” 854 F.3d at 1062-1064 (citing *Dingley* and *In re Berg*). The Ninth Circuit in *Nabors* distinguished judicial enforcement of an award on appellant’s PAGA claim and judicially imposed sanctions, stating, “That a court might ultimately decide the fate of [appellant’s] PAGA action does not mean that the court decision is an action to enforce its own power. Although a litigant may initially request the imposition of sanctions, ultimately the sanctions proceedings are conducted by a governmental unit, the court, to advance its own interest in enforcing its authority.” 854 F.3d at 1063 (citation omitted).

In *In re Berg*, the Ninth Circuit held that an award of attorneys’ fees imposed as a sanction pursuant to Rule 38 of the Federal Rules of Appellate Procedure for prosecuting a frivolous appeal was not subject to the automatic stay because the governmental regulatory exception applied even absent civil contempt proceedings. 230 F.3d at 1167-1168. Accordingly, in *Dingley*, the Ninth Circuit extended its holding in *Berg* to discovery disputes involving civil contempt proceedings.

In *United Artists Corp. v. United Artist Studios, LLC, et al.*, the district court for the Central District of California discussed *Dingley* and determined that because debtor was not subject to a civil contempt proceeding, the governmental regulatory exception should not apply. No. CV-19-828-MWF (MAAx), 2019 WL 3293650 at *7. *United Artists Corp.* is distinguishable, however, from *Berg*, *Dingley*, *Merrick*, and *In re Way*, because in each of those cases, a party requested a sanction and/or fees and costs prepetition.

Here, because creditor continued its pursuit of its prepetition motion requesting an order compelling discovery, sanctioning Debtor, and granting fees and costs in its motion to compel discovery, which is not a contempt proceeding, *Dingley* does not apply. *Berg*, however, is instructive. In *Berg*, when creditor’s counsel discovered debtor’s bankruptcy petition was pending, “they determined that they needed to obtain relief from the automatic stay before proceeding to judgment and liquidating the claim for fees and costs.” 230 F.3d at 1167. Thereafter, “the [creditor] contended that the award of sanctions was not subject to the automatic stay . . . but instead fell under the

**United States Bankruptcy Court
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Tuesday, April 7, 2020

Hearing Room 1675

10:30 AM

CONT... **Bradley Edward Barnes and Allison Platz Barnes**

Chapter 7

government regulatory power exemption in 11 U.S.C. § 362(b)(4)." *Id.*

Like the circumstances in *Berg*, here, the stay was implicated as soon as Debtor filed his petition, and Creditor proceeded on its motion to compel discovery at its peril. *Cf. In re Merrick*, 173 B.R. at 338 (Jones, J., dissenting) ("at the moment the bankruptcy petition was filed, any further action on a pending motion for pre-petition costs constituted a violation of the stay. See 11 U.S.C. § 362(a)(1)."). Creditor's filing of the motion to compel discovery and request for sanctions and fees was prepetition and did not implicate the automatic stay, but its postpetition acts before the state court did implicate the stay. Unlike the creditor in *Berg* that requested relief from stay pursuant to the governmental regulatory exception, 11 U.S.C. § 362(b)(4), postpetition, before proceeding to judgment and liquidating the sanction request for fees, here, Creditor proceeded to judgment on the motion to compel and liquidated the claim for fees postpetition without any authorization or comfort from this court. Here, Creditor sought affirmative relief on a prepetition claim against the debtor, and that conduct was the continuance of an action under 11 U.S.C. 362(a)(1).

However, the court may consider granting stay relief for cause under 11 U.S.C. 362(d)(1) retroactively to validate the actions taken by the creditor in moving to compel discovery and for an award of sanctions against the debtor and by the state court in granting such relief. However, creditor needs to make a proper showing for retroactive stay relief and has not yet done so. *In re Gasprom, Inc.*, 500 B.R. 598, 607-608 (9th Cir. BAP 2013) (setting forth factors which may be considered in determining retroactive stay relief). The papers do not address the applicable legal standard as set forth in *Gasprom* for the court to make findings to support retroactive relief from stay. There may be grounds for retroactive relief if creditor and the state court did not have notice of debtor's bankruptcy case and automatic stay, and debtor actively opposed the discovery enforcement motion on the merits without advising the state court of the bankruptcy and the stay. Other factors might be considered, including whether the filing of the bankruptcy case was in good faith based on the circumstances of the filing after a fractional interest in the certain real property was transferred to debtor to provide standing in the state court action, and Debtor filed the bankruptcy case immediately after

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, April 7, 2020

Hearing Room 1675

10:30 AM

CONT... Bradley Edward Barnes and Allison Platz Barnes

Chapter 7

Creditor filed its motion to compel and request for sanctions and fees. However, once the bankruptcy case was filed, the control of debtor's prepetition lawsuit was in the trustee as an estate asset, and debtor's litigation should have been subject to the trustee's supervision and control, which militates against retroactive stay relief. The record is unclear about how to apply the retroactive stay relief factors in *Gasprom*.

Appearances are required on 4/7/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Bradley Edward Barnes

Represented By
Susan I Montgomery

Joint Debtor(s):

Allison Platz Barnes

Represented By
Susan I Montgomery

Movant(s):

WVBAGD, LLC

Represented By
Christopher R Nelson

**United States Bankruptcy Court
Central District of California
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Tuesday, April 7, 2020

Hearing Room 1675

10:30 AM

CONT... Bradley Edward Barnes and Allison Platz Barnes

Chapter 7

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 7, 2020

Hearing Room 1675

10:30 AM

2:19-24997 Romeo Bosing Mallavo, Jr.

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(Toyota Lease Trust VS Debtor)

Docket 9

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 of the hearing date. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

No appearances are required on 4/7/20.

Party Information

Debtor(s):

Romeo Bosing Mallavo Jr.

Represented By
Navid Kohan

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 7, 2020

Hearing Room 1675

10:30 AM

2:20-10175 Clayborn A. Craddock

Chapter 7

#5.00 Hearing re: Motion for relief from stay
(Toyota Motor Credit Corporation VS Debtor)

Docket 15

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 of the hearing date. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

No appearances are required on 4/7/20.

Party Information

Debtor(s):

Clayborn A. Craddock

Represented By
Michael Jay Berger

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 7, 2020

Hearing Room 1675

10:30 AM

2:20-11120 Paul C Lee and Alicia Seunghee Lee

Chapter 7

#6.00 Hearing re: Motion for relief from stay
(Vermont Avenue Fee Owner, LLC VS Debtors)

Docket 14

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 12 as unnecessary. The 14-day waiting period under FRBP 4001(a)(3) is waived.

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

No appearances are required on 4/7/20.

Party Information

Debtor(s):

Paul C Lee

Represented By
Ji Yoon Kim

Joint Debtor(s):

Alicia Seunghee Lee

Represented By
Ji Yoon Kim

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

Tuesday, April 7, 2020

Hearing Room 1675

10:30 AM

CONT... Paul C Lee and Alicia Seunghee Lee

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, April 7, 2020

Hearing Room 1675

10:30 AM

2:20-11138 James Matthew Dorsey and Michelle Denise Dorsey

Chapter 7

#7.00 Hearing re: Motion for relief from stay
(ACAR Leasing LTD dba GM Financial Leasing VS Debtors)

Docket 19

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 of the hearing date. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

No appearances are required on 4/7/20.

Party Information

Debtor(s):

James Matthew Dorsey

Represented By
Raymond J Bulaon

Joint Debtor(s):

Michelle Denise Dorsey

Represented By
Raymond J Bulaon

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 7, 2020

Hearing Room 1675

10:30 AM

CONT... James Matthew Dorsey and Michelle Denise Dorsey

Chapter 7

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

Tuesday, April 7, 2020

Hearing Room 1675

10:30 AM

2:20-11757 Skyline Global LLC

Chapter 7

#8.00 Hearing re: Motion for relief from stay
(Anchor Fund, LLC VS Debtor)

Docket 8

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 rextaordinary relief in paragraph 9 under 11 U.S.C. 362 (d)(4) for lack of legal 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 of the hearing date. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

No appearances are required on 4/7/20.

Party Information

Debtor(s):

Skyline Global LLC

Represented By
Raymond Perez

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 7, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01435 Goodrich v. Amazon Loan Services

#9.00 Cont'd status conference re: Complaint for: 1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; 2) Recovery of property pursuant to 11 U.S.C. § 550; 3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; 4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and 5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 11/6/19, 1/7/20, 3/3/20

Docket 1

***** VACATED *** REASON: Cont'd from 4/7/20 to 6/2/20 at 1:30 p.m. per stip & order entered on 2/19/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 6/2/20 at 1:30 p.m. No appearances are required on 4/7/20.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Amazon Loan Services

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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

Tuesday, April 7, 2020

Hearing Room 1675

1:30 PM

2:19-22559 Eui Joon Park

Chapter 7

Adv#: 2:20-01023 Brad D. Krasnoff, Chapter 7 Trustee v. Park

#10.00 Status conference re: Trustee's complaint: (1) to avoid and recover fraudulent transfer; (2) for turnover; and (3) for declaratory relief

Docket 1

Tentative Ruling:

Set a discovery cutoff date of 9/30/20 and a post-discovery status conference on 10/20/20 at 1:30 p.m. A joint status report is due on 10/13/20. Order the parties to mediation, and the parties are to file a request to select a mediator and an alternate mediator by 5/29/20 and complete mediation by 10/20/20. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Appearances are required on 4/7/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Eui Joon Park

Represented By
Young K Chang

Defendant(s):

Young Joo Park

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, April 7, 2020

Hearing Room 1675

1:30 PM

CONT... Eui Joon Park

Chapter 7

Plaintiff(s):

Brad D. Krasnoff, Chapter 7 Trustee

Represented By
Sonia Singh

Trustee(s):

Brad D Krasnoff (TR)

Represented By
Zev Shechtman

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

Tuesday, April 7, 2020

Hearing Room 1675

1:30 PM

2:19-22853 Arka Sangbarani Oroojian

Chapter 7

Adv#: 2:20-01020 Yates v. Oroojian

#11.00 Status conference re: Complaint to determine dischargeability of debt pursuant to 11 U.S.C. §523 (a)(6); demand for jury trial

Docket 1

Tentative Ruling:

Revised tentative ruling as of 4/6/20. Having read the joint status report noting pending litigation in the state court to liquidate any alleged debt of defendant to plaintiff from alleged personal injuries based on tort, which is stayed by the underlying bankruptcy case, the court is inclined to abstain and grant stay relief to allow plaintiff's state court action to proceed to liquidate the debt, if any, either under mandatory or permissive abstention under 28 U.S.C. 1334(c)(1) or (2). See *In re Tucson Estates, Inc.*, 912 F.2d 1162 (9th Cir. 1990). In this matter, plaintiff seeks a determination of debt dischargeability where the alleged debt based on personal injury torts has not been liquidated. Debt dischargeability cannot be determined until the liability for the debt has been determined and liquidated. The underlying tort liability is not pleaded in the adversary complaint, and it is unclear from the pleadings where the underlying tort liability should be tried and determined, i.e., whether in this adversary proceeding or in the state court proceeding, which is now stay by the bankruptcy case. One consideration is that any personal injury tort claims if not tried in state court must be tried in the district court in this district pursuant to 28 U.S.C. 157(b)(4), though perhaps the parties could consent to this court so trying these claims. If the court abstains, the court would stay the pending adversary proceeding for dischargeability of debt pending the outcome of the state court tort litigation. The court intends to issue an order to show cause why this court should not abstain from hearing the unpled but underlying personal injury tort claims, but otherwise, retaining the debt dischargeability claim to be determined after the alleged debt liability has been determined. The court would consider the factors for permissive abstention and stay relief in *In re Tucson Estates, Inc.*, 912 F.2d at 1166-1167. In reviewing the status report, the court is of the view that the proposed pretrial and trial schedule is unrealistic, given the social turmoil from the current coronavirus pandemic and the need for extensive discovery

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, April 7, 2020

Hearing Room 1675

1:30 PM

CONT... Arka Sangbarani Oroojian

Chapter 7

proceedings relating to determination of the underlying alleged tort liability and the need for a trial of the personal injury tort claims in the district court if the court does not abstain.

Appearances are required on 4/7/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Arka Sangbarani Oroojian

Represented By
Roland H Kedikian

Defendant(s):

Arka Sangbarani Oroojian

Pro Se

Plaintiff(s):

Rhianna Yates

Represented By
Jesenia Martinez

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 7, 2020

Hearing Room 1675

2:00 PM

2:18-18159 Martha Alicia Fernandez

Chapter 7

Adv#: 2:18-01327 Walden et al v. Fernandez

#12.00 Status conference re: Complaint for non-dischargeability of debtor under §523(a)(2)(A) fr. 11/19/19, 12/3/19, 3/12/20

Docket 1

Tentative Ruling:

Revised tentative ruling as of 4/6/20. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the chief judge of the United States District Court for the Central District of California issued an Order of the Chief Judge No. 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court cannot conduct an in person trial in the courtroom until at least May 1, 2020. Moreover, the County of Los Angeles and City of Los Angeles have issued public health orders prohibiting public and private gatherings in their jurisdictions until at least April 19, 2020, which are likely to be extended, which orders may apply to the trial. The court schedules the status conference on 4/7/20 to discuss with the parties how a trial in the matter may be conducted and when possibly it can be scheduled. Given the current surge of coronavirus cases in the court and in the state and the need for appropriate social distancing, it would probably be prudent not to schedule so soon. In this court's view, a trial will not be scheduled earlier than 6/1/20. A court committee is being appointed to consider the conduct of video evidentiary hearings, but whether this is technically feasible and legally proper has not yet determined for this court yet.

Appearances are required on 4/7/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19)

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Hearing Room 1675

2:00 PM

CONT... Martha Alicia Fernandez

Chapter 7

outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/10/20. In light of the emerging public health threat of coronavirus disease (COVID-19) in the United States and the world, the court in an abundance of caution postpones the trial in this adversary proceeding scheduled for 3/12/20 and 3/13/20. The court sets a status conference in this matter for 4/7/20 at 2:00 p.m. to reschedule the trial so that the court and the parties can assess the emerging and rapidly developing situation regarding the coronavirus and determine that the trial can safely proceed. No appearances are required on 3/12/20 and 3/13/20 as the trial will not proceed on those days, and counsel should so advise the parties and the witnesses.

Prior tentative ruling as of 12/2/19. The joint pretrial stipulation is missing stipulated fact no. 15, which is blank, and the joint exhibit list and any objections to the exhibits referred to in the joint pretrial stipulation, but the exhibit list and objections are not attached. Appearances are required on 12/4/19, but counsel may appear by telephone.

Prior tentative ruling as of 11/18/19. Off calendar. The court has reviewed the counsel declarations regarding preparation of the joint pretrial stipulation. The court on its own motion continues the pretrial conference to 12/3/19 at 11:00 a.m. and extends the time for the parties to file a joint pretrial stipulation to 11/26/19. The court expects that the parties will meet and confer to resolve their differences and submit a joint pretrial stipulation, not unilateral pretrial statements, by 11/26/19 (the parties should be able at least to agree to disagree so that there is one joint pretrial stipulation), and the court will impose sanctions of \$250 each on the culpable parties for failure to submit a

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, April 7, 2020

Hearing Room 1675

2:00 PM

CONT... Martha Alicia Fernandez

Chapter 7

joint pretrial stipulation as provided in LBR 7016-1. No appearances are required on 11/19/19.

Prior tentative ruling as of 11/8/19. Off calendar. Continued by stipulation and order to 11/19/19 at 2:00 p.m. No appearances are required on 11/12/19.

Prior tentative ruling as of 8/12/19. Appearances are required on 8/13/19, and parties to address the status of mediation, their failure to conduct a meeting of counsel pursuant to LBR 7026-1, the status of discovery and scheduling of further proceedings.

Prior tentative ruling as of 3/11/19. The court has reviewed the joint status report. Set a discovery cutoff date of 7/1/19 and a post-discovery status conference on 7/30/19 at 1:30 p.m. with a joint status report due on 7/23/19. Appearances are required on 3/12/19 to discuss the failure of counsel to have the early meeting of counsel under LBR 7026-1 and whether the matter should be referred to mediation, but counsel may appear by telephone.

Prior tentative ruling. The court notes that the parties failed to file a joint status report as required by Local Bankruptcy Rule 7016-1 and the court's order setting initial status conference in adversary proceeding filed and entered on 10/23/18, and such failure may subject the parties to monetary sanctions of \$100 each. The parties have not indicated to the court that they have met and conferred as required by Federal Rule of Bankruptcy Procedure 7026 and Local Bankruptcy Rule 7026-1. Appearances are required on 1/8/19.

Party Information

Debtor(s):

Martha Alicia Fernandez

Represented By
Gary S Saunders

Defendant(s):

Martha Alicia Fernandez

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, April 7, 2020

Hearing Room 1675

2:00 PM

CONT... Martha Alicia Fernandez

Chapter 7

Plaintiff(s):

Yvette Walden Pro Se

Guadalupe L Cruz Pro Se

Jose L Cruz Pro Se

Trustee(s):

Elissa Miller (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, April 7, 2020

Hearing Room 1675

2:30 PM

2:18-13547 Froilan S. Bolosan and Glenda M. Bolosan

Chapter 7

#13.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Timothy Yoo, Chapter 7 Trustee]

Docket 74

Tentative Ruling:

Off calendar. In light of the lack of a timely written objection to the trustee's final report and fee application, the court determines that oral argument on the final report and fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written objection as consent to the approval of the final report and fee application pursuant to Local Bankruptcy Rule 9013-1(h), rules on the final report and fee application on the papers, and approves the final report and fee application of trustee for reasons stated in the final report and fee application and for lack of timely written objection. No appearances are required on 4/7/20. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Froilan S. Bolosan

Represented By
Hasmik Jasmine Papian

Joint Debtor(s):

Glenda M. Bolosan

Represented By
Raymond J Bulaon
Hasmik Jasmine Papian

Trustee(s):

Timothy Yoo (TR)

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, April 7, 2020

Hearing Room 1675

2:30 PM

CONT...

Froilan S. Bolosan and Glenda M. Bolosan

Jeffrey L Sumpter

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
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Courtroom 1675 Calendar**

Tuesday, April 7, 2020

Hearing Room 1675

2:30 PM

2:18-13547 Froilan S. Bolosan and Glenda M. Bolosan

Chapter 7

#14.00 Hearing re: Application for fees and expenses
[Levene Neale Bender Yoo & Brill, LLP, Attorney for Chapter 7 Trustee]

Docket 71

Tentative Ruling:

Off calendar. In light of the lack of a timely written objection to the final fee application of attorney for trustee, the court determines that oral argument on the final fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written objection as consent to the approval of the fee application pursuant to Local Bankruptcy Rule 9013-1(h), rules on the final fee application on the papers, and approves the final fee application of attorney for trustee for reasons stated in the fee application and for lack of timely written objection. No appearances are required on 4/7/20. Trustee or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Froilan S. Bolosan

Represented By
Hasmik Jasmine Papian

Joint Debtor(s):

Glenda M. Bolosan

Represented By
Raymond J Bulaon
Hasmik Jasmine Papian

Trustee(s):

Timothy Yoo (TR)

Represented By
Todd M Arnold
Jeffrey L Sumpter

**United States Bankruptcy Court
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Tuesday, April 7, 2020

Hearing Room 1675

2:30 PM

2:19-10119 David Lee

Chapter 11

#15.00 Cont'd hearing re: Application for payment of interim fees and/or expenses for Law Offices of David A Tilem, debtor's attorney fr. 3/10/20

Docket 278

Tentative Ruling:

Updated tentative ruling as of 4/2/20. Off calendar. In light of the lack of a timely written objection to the interim fee application of attorney for debtor-in-possession, the court determines that oral argument on the interim fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written objection as consent to the approval of the fee application pursuant to Local Bankruptcy Rule 9013-1(h), rules on the interim fee application on the papers, and approves the interim fee application of attorney for debtor-in-possession for reasons stated in the fee application and for lack of timely written objection. No appearances are required on 4/7/20. Applicant to submit a proposed order within 7 days of hearing.

Prior tentative ruling. Notice of the interim fee application did not comply with LBR 2016-1(a)(2)(B) requiring not less than 21 days notice of an interim fee application before hearing since the notice was served on 2/21/20, only 18 days before hearing. Appearances are optional on 3/10/20, but counsel may appear by telephone. Applicant can just file and serve a re-notice of hearing on the application with the required 21 days notice before the hearing.

Party Information

Debtor(s):

David Lee

Represented By
David A Tilem

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, April 7, 2020

Hearing Room 1675

2:30 PM

CONT... David Lee

Chapter 11

Movant(s):

David Lee

Represented By
David A Tilem

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

Tuesday, April 7, 2020

Hearing Room 1675

2:30 PM

2:18-16237 Alvin Yap Edillor

Chapter 7

#16.00 Hearing re: Motion of trustee for order approving settlement with debtor, Jocelyn Edillor, and Opehlia Edillor; and opposition of United States trustee to motion of trustee for order approving settlement with debtor, Jocelyn Edillor, and Ophelia Edillor

Docket 57

Tentative Ruling:

In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the chief judge of the United States District Court for the Central District of California issued an Order of the Chief Judge No. 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court cannot conduct an in person hearing on the contested matter of the trustee's motion to approve compromise with the debtor, Jocelyn Edillor and Ophelia Edillor, which the court considers appropriate and necessary in light of the contentions raised in the pleadings. Therefore, the court on its own motion continues the hearing to a date on which it believes that the courthouse will be open so that the court can hear the arguments of the parties in person, May 13, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012. No appearances are required on April 7, 2020 at 2:30 p.m. as the hearing on that date is vacated.

Party Information

Debtor(s):

Alvin Yap Edillor

Represented By
Philomena N Nzegge

**United States Bankruptcy Court
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2:30 PM

CONT... Alvin Yap Edillor

Chapter 7

Trustee(s):

Wesley H Avery (TR)

Represented By
Robert A Hessling

**United States Bankruptcy Court
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Wednesday, April 8, 2020

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#1.00 Hearing re: Motion for order approving amendment to escrow instructions for consummating approved settlement between debtor and Banc of California, N.A., pursuant to FRBP 9019

Docket 773

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the debtor's motion for order approving amendment to escrow instructions for consummating settlement with Banc of California, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants the motion for the reasons stated in the moving papers and for lack of timely written opposition.

Counsel for debtor must lodge a proposed order within 7 days of the hearing date. No appearances are required on 4/8/20.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
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Judge Robert Kwan, Presiding
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Wednesday, April 8, 2020

Hearing Room 1675

11:00 AM

2:17-24737 Advance Specialty Care, LLC

Chapter 11

#2.00 Status conference re: Post confirmation of plan
fr. 8/28/19, 10/16/19, 12/11/19

Docket 255

Tentative Ruling:

Revised tentative ruling as of 4/5/20. The court has reviewed debtor's post-confirmation status report. The court will conduct the status conference in case that the United States Trustee or another party in interest has concerns regarding status, including the making of plan payments. Appearances are required on 4/8/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 12/9/19. No tentative ruling on the merits. Appearances are required on 12/11/19.

Prior tentative ruling as of 10/15/19. No tentative ruling on the merits. Since there was no notice of motion with the amended disclosure statement and plan filed and served by debtor on 9/9/19, debtor needs to address whether the amended disclosure statement has been properly served for approval. Appearances are required on 10/16/19, but counsel may appear by telephone.

Prior tentative ruling as of 8/26/19. No tentative ruling on the merits. Appearances are required on 8/28/19, 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 8, 2020

Hearing Room 1675

11:00 AM

CONT... Advance Specialty Care, LLC

Chapter 11

Prior tentative ruling as of 8/19/19. No tentative ruling on the merits.
Appearances are required on 8/21/19, but counsel may appear by telephone.

Prior tentative ruling as of 7/15/19. No tentative ruling on the merits.
Appearances are required on 7/17/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/10/19. No tentative ruling on the merits. The court is inclined to allow the parties to participate in mediation before the settlement judge before ruling on the amended disclosure statement.
Appearances are required on 6/11/19, but counsel may appear by telephone.

Prior tentative ruling as of 5/14/19. No tentative ruling on the merits.
Appearances are required on 5/15/19, but counsel may appear by telephone.

Prior tentative ruling as of 3/20/19. No tentative ruling on the merits.
Appearances are required on 3/21/19, but counsel may appear by telephone.

Prior tentative ruling as of 3/4/19. No tentative ruling on the merits.
Appearances are required on 3/6/19, but counsel may appear by telephone.

Prior tentative ruling. Disapprove proposed disclosure statement for lack of sufficient information because it lacks sufficient detailed information on how the plan is feasible, including historical financial information. Just attaching copies of monthly operating reports to the disclosure statement is insufficient. The disclosure statement needs to describe the means on how the plan is going to be funded to demonstrate feasibility to creditors. Appearances are required on 2/20/19, 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, April 8, 2020

Hearing Room 1675

11:00 AM

2:18-10551 Nina Mosby

Chapter 11

#3.00 Status conference re: Post confirmation of plan
fr. 9/4/19, 10/16/19, 12/11/19

Docket 77

Tentative Ruling:

Revised tentative ruling as of 4/5/20. The court has reviewed debtor's post-confirmation status report. The court will conduct the status conference in case that the United States Trustee or another party in interest has concerns regarding status, including the making of plan payments. Appearances are required on 4/8/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 12/9/19. The moving papers are deficient because the document filed as the ballot summary is not a ballot summary to establish the voting on the plan for the court to do its plan confirmation analysis. Appearances are required on 12/11/19, but counsel may appear by telephone.

Prior tentative ruling as of 10/15/19. No tentative ruling on the merits. Since there was no notice of motion with the amended disclosure statement and plan filed and served by debtor on 9/18/19, debtor needs to address whether the amended disclosure statement has been properly served for approval. Appearances are require on 10/16/19, 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 8, 2020

Hearing Room 1675

11:00 AM

CONT...

Nina Mosby

Chapter 11

Prior tentative ruling as of 9/3/19. The court has reviewed debtor's status report regarding the disclosure statement. No tentative ruling on the merits. Appearances are required on 9/4/19, but counsel may appear by telephone.

Prior tentative ruling as of 7/15/19. The court has reviewed debtor's status report regarding the disclosure statement. No tentative ruling on the merits. Appearances are required on 7/17/19, but counsel may appear by telephone.

Prior tentative ruling as of 5/13/19. Appearances are required on 5/15/19, but counsel may appear by telephone.

Prior tentative ruling. Deny approval of debtor's disclosure statement as not containing adequate information for the reasons stated in the objections of creditors because the disclosure statement does not provide sufficient information regarding feasibility or address the issue of modification of the secured creditor's claims and rights. The disclosure statement does not show how the payment of the arrearages on the effective date is feasible based on debtor's available cash on hand stated in the disclosure statement. Debtor must provide a detailed statement of income and expenses for each property as directed by the income and expense statements attached to the disclosure statement, which she has not done, and she should provide historical data and projections for these properties. If the secured creditors' claims and rights are modified, then the claims are impaired, and the secured creditors have a right to vote. The denial of approval of the disclosure statement is with leave to amend. Appearances are required on 3/27/19, 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 8, 2020

Hearing Room 1675

11:00 AM

2:19-10297 Roger Timothy Ruiz

Chapter 11

#4.00 Hearing re: Debtor's motion for order approving class 6(b) creditor, First Home Bank to change its vote from rejecting to accepting plan

Docket 93

Tentative Ruling:

Updated tentative ruling as of 4/3/20. Grant motion of debtor to allow Class 6(b) creditor First Home Bank to change its vote from rejecting to accepting the plan for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are required on 4/8/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Roger Timothy Ruiz

Represented By
Marcus G Tiggs

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

Wednesday, April 8, 2020

Hearing Room 1675

11:00 AM

2:19-10297 Roger Timothy Ruiz

Chapter 11

#5.00 Cont'd hearing re: Confirmation of plan
fr. 11/6/19, 12/4/19, 3/4/20

Docket 94

Tentative Ruling:

Updated tentative ruling as of 4/3/20. The court is inclined to grant the amended motion to confirm debtor's plan as amended, but finding that the dissenting vote of FC Marketing because the ballot return information did not specify that the ballot had to be physically mailed in and listed the return address with the email address of debtor's counsel, which implied that the ballot could be returned by email. Even so, the vote of Class 6B was to accept the plan, and thus, at least one impaired class accepted the plan. The court will also find that the extension of the plan by one year is a nonmaterial modification which does not require a revote. However, debtor did not file an amended plan reflecting the nonmaterial modification of the plan, which will have to be reflected on the record, which could be done with a plan modification provision in the confirmation order. Appearances are required on 4/8/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/3/20. Although the plan is admittedly unconfirmable for lack of an accepting impaired class of creditors pursuant to 11 U.S.C. 1129(a)(10), the court is inclined to grant debtor's request to continue the hearing on plan confirmation to allow some reasonable time to

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

Wednesday, April 8, 2020

Hearing Room 1675

11:00 AM

CONT... Roger Timothy Ruiz

Chapter 11

allow debtor to negotiate a settlement with the major dissenting creditor to change its vote to make the nonaccepting class an accepting class. Appearances are required on 3/4/20, but counsel may appear by telephone.

Prior tentative ruling as of 12/2/19. Approve disclosure statement as containing adequate information and for lack of timely written opposition. Appearances are required on 12/4/19 to discuss scheduling of plan confirmation proceedings, but counsel may appear by telephone.

Prior tentative ruling. Debtor did not give the required 42 days notice of hearing on his motion for approval of the disclosure statement pursuant to LBR 3017-1(a), and the motion will have to be renoticed to comply with the rule. Counsel has informally indicated to the court that Debtor will renotify the motion to comply with the rule. Appearances are required on 11/6/19, but counsel may appear by telephone.

Party Information

Debtor(s):

Roger Timothy Ruiz

Represented By
Marcus G Tiggs

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

Wednesday, April 8, 2020

Hearing Room 1675

11:00 AM

2:19-10297 Roger Timothy Ruiz

Chapter 11

#6.00 Cont'd status conference re: Management of chapter 11 case
fr. 11/13/19, 12/4/19, 3/4/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/3/20. No tentative ruling on the merits. Appearances are required on 4/8/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/3/20. No tentative ruling on the merits. Appearances are required on 3/4/20, but counsel may appear by telephone.

Prior tentative ruling as of 12/2/19. No tentative ruling on the merits. Appearances are required on 12/4/19, but counsel may appear by telephone.

Prior tentative ruling as of 11/11/19. Off calendar. The court has reviewed debtor's status report. The court on its own motion continues the status conference to 12/4/19 at 11:00 a.m. to be conducted with the rescheduled hearing on the motion to approve the disclosure statement. No appearances are required on 11/13/19.

Prior tentative ruling as of 8/13/19. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 8/14/19, 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 8, 2020

Hearing Room 1675

11:00 AM

CONT... Roger Timothy Ruiz

Chapter 11

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 3/6/19, but counsel may appear by telephone.

Party Information

Debtor(s):

Roger Timothy Ruiz

Represented By
Marcus G Tiggs

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

Wednesday, April 8, 2020

Hearing Room 1675

11:30 AM

2:15-24071 Francisco O Lopez

Chapter 11

#7.00 Cont'd hearing re: U.S. Trustee Motion under 11 U.S.C. §1112(b)(1) to convert, dismiss or appoint a chapter 11 trustee
fr. 3/25/20

Docket 153

Tentative Ruling:

Updated tentative ruling as of 4/3/20. No tentative ruling on the merits. Appearances are required on 4/8/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues the hearing on the Motion of the U.S. Trustee under 11 U.S.C. § 1112(b)(1) to Convert, Dismiss or Appoint a Chapter 11 Trustee, Docket No. 153, and the status conference in this bankruptcy case scheduled for March 25, 2020 at 11:00 a.m. The court on its own motion continues the hearing on the motion and the case status conference to April 8, 2020 at 11:30 a.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 25, 2020 at 11:00 a.m. as the hearing on the motion and status conference are continued to April 8, 2020 at 11:30 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

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

Wednesday, April 8, 2020

Hearing Room 1675

11:30 AM

CONT... Francisco O Lopez

Chapter 11

Party Information

Debtor(s):

Francisco O Lopez

Represented By
Nam H. Le
Ryan A. Stubbe

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

Wednesday, April 8, 2020

Hearing Room 1675

11:30 AM

2:15-24071 Francisco O Lopez

Chapter 11

#8.00 Cont'd status conference re: Post confirmation of plan
fr. RN, 12/4/19, 3/4/20, 3/25/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/2/20. No tentative ruling on the merits. Appearances are required on 4/8/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/18/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues the hearing on the Motion of the U.S. Trustee under 11 U.S.C. § 1112(b)(1) to Convert, Dismiss or Appoint a Chapter 11 Trustee, Docket No. 153, and the status conference in this bankruptcy case scheduled for March 25, 2020 at 11:00 a.m. The court on its own motion continues the hearing on the motion and the case status conference to April 8, 2020 at 11:30 a.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 25, 2020 at 11:00 a.m. as the hearing on the motion and status conference are continued to April 8, 2020 at 11:30 a.m. in Courtroom 1675, Roybal Federal Building, 255

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

Wednesday, April 8, 2020

Hearing Room 1675

11:30 AM

CONT... Francisco O Lopez

Chapter 11

East Temple Street, Los Angeles, California 90012.

Prior tentative ruling as of 3/3/20. No tentative ruling on the merits.
Appearances are required on 3/4/20, but counsel may appear by telephone.

Prior tentative ruling as of 12/2/19. No tentative ruling on the merits.
Appearances are required on 12/4/19 to discuss status of delinquent quarterly
operating reports, but counsel may appear by telephone.

Prior tentative ruling as of 11/18/19. Appearances are required on 11/20/19,
but counsel may appear by telephone.

Prior tentative ruling as of 10/7/19. No tentative ruling on the merits.
Appearances are required on 10/8/19, but counsel may appear by telephone.

Prior tentative ruling as of 7/29/19. No tentative ruling on the merits.
Appearances are required on 7/31/19, 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, April 8, 2020

Hearing Room 1675

11:30 AM

2:18-11525 Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

#9.00 Cont'd hearing re: Motion under 11 U.S.C. §1112(b)(1) to convert, dismiss or appoint a chapter 11 trustee fr. 3/25/20

Docket 223

Tentative Ruling:

Updated tentative ruling as of 4/3/20. No tentative ruling on the merits. Appearances are required on 4/8/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues the hearing on the United States Trustee's Motion Under 11 U.S.C. § 1112(b)(1) to Convert, Dismiss or Appoint a Chapter 11 Trustee, Docket Number 223, in this bankruptcy case scheduled for March 25, 2020 at 11:00 a.m. The court on its own motion continues this hearing to April 8, 2020 at 11:30 a.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 25, 2020 at 11:00 a.m. as the hearing is continued to April 8, 2020 at 11:30 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

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

Wednesday, April 8, 2020

Hearing Room 1675

11:30 AM

CONT... Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow
Mark F Hebbeln

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow
Mark F Hebbeln

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 8, 2020

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.

#10.00 Cont'd hearing re: Issues raised by the disputes over the proposed scheduling order lodged by the Plan Agent, including the deletion of the proposed language of paragraph 11 of the Plan Agent's proposed scheduling order and the objections of Victor Sahn and Douglas Christmas to their further depositions for matters relating to or arising out of the New Cause of Action
fr. 1/29/20, 2/4/20, 3/17/20

Docket 689

Tentative Ruling:

Revised and updated tentative ruling as of 4/7/20. Off calendar. Based on the informal inquiry of the court to counsel, the court on its own motion continues the status conference to 5/6/20 at 1:30 p.m. after counsel for the 400 South La Brea defendants informally advised the court that the parties desire a 30 day continuance of the status conference and will be submitting a stipulation for such a continuance and to address other matters regarding this litigation and proposed order there. No appearances are required on 4/8/20.

Prior tentative ruling as of 3/16/20. In light of the emerging public health crisis from coronavirus disease (COVID-19) in the United States and the world, the court in an abundance of caution continues the status conference in this adversary proceeding scheduled for 3/17/20 at 1:30 p.m. to 4/8/20 at 1:30 p.m. Hopefully, with the continuance to 4/8/20, the court and the parties can assess the emerging and rapidly developing public health crisis regarding the coronavirus outbreak and determine that hearings in the matter may safely proceed. No appearances are required on 3/17/20.

Prior tentative ruling as of 2/3/20. Appearances are required on 2/4/20 for counsel and parties who want to be heard on the matter, 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, April 8, 2020

Hearing Room 1675

1:30 PM

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
Alan I Nahmias

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

Michael D. Smith

Represented By
Brian L Davidoff

Kamran Gharibian

Represented By
Brian L Davidoff

Daryoush Dayan

Represented By
Brian L Davidoff

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

Wednesday, April 8, 2020

Hearing Room 1675

1:30 PM

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

Chapter 11

Cathay Bank, a California

Represented By
Ekwan E Rhow
Elliot C Harvey Schatmeier

Jennifer Kellen

Represented By
Michael D Sobkowiak

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
Steven Thomas
Stephen Sorensen

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

Tuesday, April 14, 2020

Hearing Room 1675

10:30 AM

2:19-14907 Messiah Trucking, Inc.

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(Gary Gross, Trustee of the Gary Gross Family Trust VS Debtor)

Docket 37

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 of the hearing date. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

No appearances are required on 4/14/20.

Party Information

Debtor(s):

Messiah Trucking, Inc.

Represented By
Lane K Bogard

Trustee(s):

John P Pringle (TR)

Represented By
Michelle A Marchisotto

Gary Gross

Pro Se

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

Tuesday, April 14, 2020

Hearing Room 1675

10:30 AM

2:19-15982 Daniel Hyun You

Chapter 7

#2.00 Cont'd hearing re: Motion for relief from stay
(Wells Fargo Bank, N.A. VS Debtor)
fr. 10/8/19, 12/10/19, 2/11/20

Docket 15

***** VACATED *** REASON: Cont'd from 4/14/20 to 6/16/20 at 10:30 a.m.
per stip & order entered on 3/31/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 4/13/20. Off calendar. Continued by stipulation and order to 6/16/20 at 10:30 a.m. No appearances are required on 4/14/20.

Prior tentative ruling as of 2/10/20. Off calendar. Continued by stipulation and order to 4/14/20 at 10:30 a.m. No appearances are required on 2/11/20.

Prior tentative ruling as of 12/9/19. Off calendar. Continued by stipulation and order to 2/11/20 at 10:30 a.m. No appearances are required on 12/10/19.

Prior tentative ruling as of 10/7/19. Off calendar. Continued by stipulation and order to 12/10/19 at 10:30 a.m. No appearances are required on 10/8/19.

Prior tentative ruling. The hearing is continued by stipulation and order to 10/8/19 at 10:30 a.m. The order further provides that because service of the moving papers was deficient because movant has not served a judge's copy with separately tabbed exhibits as required by Local Bankruptcy Rule 5005-2(d), movant was ordered to comply with the rule and serve a judge's copy of its moving papers with separately tabbed exhibits within 7 days of the date of entry of the order. No appearances are required on 8/27/19.

Party Information

Debtor(s):

Daniel Hyun You

Represented By
David Marh

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

Tuesday, April 14, 2020

Hearing Room 1675

10:30 AM

CONT... Daniel Hyun You

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, April 14, 2020

Hearing Room 1675

10:30 AM

2:20-11120 Paul C Lee and Alicia Seunghee Lee

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(Toyota Lease Trust VS Debtors)

Docket 12

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 of the hearing date. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

No appearances are required on 4/14/20.

Party Information

Debtor(s):

Paul C Lee

Represented By
Ji Yoon Kim

Joint Debtor(s):

Alicia Seunghee Lee

Represented By
Ji Yoon 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 14, 2020

Hearing Room 1675

10:30 AM

2:20-11518 Michael Greene and Kellie Greene

Chapter 7

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

Docket 13

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 of the hearing date. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

No appearances are required on 4/14/20.

Party Information

Debtor(s):

Michael Greene

Represented By
Art Baram

Joint Debtor(s):

Kellie Greene

Represented By
Art Baram

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 14, 2020

Hearing Room 1675

10:30 AM

2:20-11833 Pablo Villalobos

Chapter 7

#5.00 Hearing re: Motion for relief from stay
(Americredit Financial Services, Inc. dba GM Financial VS Debtor)

Docket 13

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 of the hearing date. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

No appearances are required on 4/14/20.

Party Information

Debtor(s):

Pablo Villalobos

Represented By
Lionel E Giron

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 14, 2020

Hearing Room 1675

10:30 AM

2:20-12263 Earl William Franz

Chapter 7

#6.00 Hearing re: Motion for relief from stay
(The Golden 1 Credit Union VS Debtor)

Docket 9

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 of the hearing date. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

No appearances are required on 4/14/20.

Party Information

Debtor(s):

Earl William Franz

Represented By
Heather J Canning

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, April 14, 2020

Hearing Room 1675

1:00 PM

2:17-21018 Prototype Engineering & Manufacturing, Inc.

Chapter 7

Adv#: 2:19-01332 Avery et al v. Leya Technologies, LLC et al

#7.00 Cont'd hearing re: Motion to expunge lis pendens
fr. 3/31/20

Docket 63

***** VACATED *** REASON: Cont'd from 4/14/20 to 4/30/20 at 11:00 a.m.
per stip & order entered on 4/10/20-mb.**

Tentative Ruling:

Revised tentative ruling as of 4/10/20. Off calendar. The court on its own motion continues the hearing on this matter to 4/30/20 at 11:00 a.m. by prior order. No appearances are required on 4/14/20.

Party Information

Debtor(s):

Prototype Engineering &

Represented By
Carol Chow

Defendant(s):

Leya Technologies, LLC

Represented By
Brian L Davidoff

Bahram Bordbar

Represented By
Brian L Davidoff

Malahat Bordbar

Represented By
Brian L Davidoff

Sara Bordbar

Represented By
Brian L Davidoff

Plaintiff(s):

Wesley H Avery

Represented By
Carmela Pagay
Irving M Gross

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, April 14, 2020

Hearing Room 1675

1:00 PM

CONT... Prototype Engineering & Manufacturing, Inc. Chapter 7

Jon and Maria Ternstrom Represented By
Kevin M Davis
Todd E Phillips

Cameron and Michelle Witzler Represented By
Kevin M Davis
Todd E Phillips

Colette Carpenter, both individually Represented By
Kevin M Davis
Todd E Phillips

Trustee(s):

Wesley H Avery (TR) Represented By
Timothy J Yoo
Carmela Pagay
Lindsey L Smith
Irving M Gross

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

Tuesday, April 14, 2020

Hearing Room 1675

1:00 PM

2:17-21018 Prototype Engineering & Manufacturing, Inc.

Chapter 7

Adv#: 2:19-01332 Avery v. Leya Technologies, LLC et al

- #8.00** Cont'd status conference re: Plaintiff's complaint for: (1) avoidance of actual fraudulent transfers; (2) avoidance of constructive fraudulent transfers; (3) recovery of avoided transfers; (4) breach of fiduciary duty; (5) recovery of prohibited distributions; (6) unjust enrichment; (7) aiding and abetting breach of fiduciary duty; and (8) substantive consolidation of certain defendants with the debtor's estate fr. 12/3/19, 12/10/19, 2/18/20

Docket 1

Tentative Ruling:

Revised tentative ruling as of 4/10/20. Off calendar. The court on its own motion continues the hearing on this matter to 4/30/20 at 11:00 a.m. to be heard with the continued hearing on defendants' motion to expunge lis pendens. No appearances are required on 4/14/20.

Prior tentative ruling as of 2/17/20. The court has reviewed the joint status report filed on 2/11/20. No tentative ruling on the merits. Appearances are required on 2/18/20, but counsel may appear by telephone.

Prior tentative ruling as of 12/9/19. Off calendar. The court is preparing a written order on the motion to dismiss and will continue the status conference to another date. No appearances are required on 12/10/19.

Prior tentative ruling as of 12/2/19. No tentative ruling on the merits. Appearances are required on 12/3/19, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report, noting that pending motions of defendants to dismiss certain claims and motion of third parties to substitute or intervene were noticed for hearing on 11/12/19 at 2:30 p.m. and suggesting that the status conference be continued to that date or some date after. The court takes judicial notice that it had ordered that the hearing on the motion to dismiss as amended in light of the amended complaint was continued to 12/3/19 at 2:30 p.m. Accordingly, the court on its own motion

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Tuesday, April 14, 2020

Hearing Room 1675

1:00 PM

CONT... Prototype Engineering & Manufacturing, Inc. Chapter 7

continues the status conference to 12/3/19 at 2:30 p.m. to be conducted with the hearing on the motion to dismiss claims of the amended complaint now set for 12/3/19 at 2:30 p.m. because the ruling on the motion may have an impact on the status of the matter. No appearances are required on 11/5/19.

Party Information

Debtor(s):

Prototype Engineering &

Represented By
Carol Chow

Defendant(s):

Leya Technologies, LLC

Pro Se

Bahram Bordbar

Pro Se

Malahat Bordbar

Pro Se

Sara Bordbar

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
Carmela Pagay

Trustee(s):

Wesley H Avery (TR)

Represented By
Timothy J Yoo
Carmela Pagay
Lindsey L Smith
Irving M Gross

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

Tuesday, April 14, 2020

Hearing Room 1675

1:30 PM

2:17-25817 Denise Ann Hatfield

Chapter 7

Adv#: 2:18-01434 Ehrenberg v. Hatfield

#9.00 Cont'd status conference re: Complaint for: (1) avoidance of transfer under 11 U.S.C. § 548(a)(1)(A); (2) Avoidance of transfer under CCC § 3439.04(a)(1); (3) Avoidance of transfer under 11 U.S.C. § 548(A)(1)(B); (4) Avoidance of transfer under CCC § 3439.04(a)(2); (5) Avoidance of transfer under CCC § 3439.05; (6) Recovery of transferred property or value thereof; (7) Preservation of avoided transfer; and (8) Declaratory relief
fr. 10/22/19, 12/17/19, 2/18/20

Docket 1

***** VACATED *** REASON: Dismissed per stip & order entered on
4/2/20-mb.**

Tentative Ruling:

Off calendar. Adversary proceeding dismissed by stipulation and order. No appearances are necessary.

Party Information

Debtor(s):

Denise Ann Hatfield

Represented By
Michael E Clark

Defendant(s):

Thomas Carson Hatfield

Pro Se

Plaintiff(s):

Howard M. Ehrenberg

Represented By
Steven Werth

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Steven Werth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, April 14, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01248 Goodrich v. Blue District Distributors, LLC

- #10.00** Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542 fr. 10/1/19, 2/18/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/10/20. No tentative ruling on the merits. Appearances are required on 4/14/20 to discuss status of settlement efforts and setting of further proceedings, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 2/18/20. Off calendar. The court has reviewed the joint status report representing that the matter is being settled and the settlement is now being documented. The court on its own motion continues the status conference to 4/14/20 at 1:30 p.m., so that the parties can document their settlement and submit a dispositive stipulation and proposed order. No appearances are required on 2/18/20, but counsel may appear by telephone.

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Los Angeles
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Hearing Room 1675

1:30 PM

CONT... SOCALDEAL INC

Chapter 7

Prior tentative ruling. The court has reviewed the joint status report, indicating that the parties had not had their initial meeting of counsel under LBR 7026-1. The parties should report if they have complied with LBR 7026-1. Set a discovery cutoff date of 1/31/20, order the matter to mediation with the parties selecting a mediator and an alternate by 10/31/19. Set a post-discovery status conference for 2/18/20 at 1:30 p.m. with a status report due to be filed on 2/11/20. Appearances are required on 10/1/19, but counsel may appear by telephone.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Blue District Distributors, LLC

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, April 14, 2020

Hearing Room 1675

1:30 PM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

Adv#: 2:20-01059 Gemcap Lending I, LLC, a Delaware limited company v. Dahlen et al

#11.00 Status conference re: Removal of state court action by defendants Michael Ozawa, George Blanco, and Enterprise Management Advisors, LLC

Docket 1

Tentative Ruling:

No tentative ruling on the merits. The court will call this matter at the end of the 1:30 p.m. calendar and advance the related hearings on the 2:30 p.m. calendar. Appearances are required on 4/14/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Zacky & Sons Poultry, LLC

Represented By

Ron Bender

Juliet Y Oh

Todd M Arnold

Lindsey L Smith

Riley C Walter

Defendant(s):

Thomas Dahlen

Pro Se

Marvin Scheidt

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, April 14, 2020

Hearing Room 1675

1:30 PM

CONT... Zacky & Sons Poultry, LLC

Chapter 11

Michael Ozawa

Represented By
Brett N Taylor

George Blanco

Represented By
Brett N Taylor

Enterprise Management Advisors

Represented By
Brett N Taylor

Does 1-50, Inclusive

Pro Se

Plaintiff(s):

Gemcap Lending I, LLC, a Delaware

Represented By
Todd M Lander

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, April 14, 2020

Hearing Room 1675

1:30 PM

2:19-10246 Dean Henrik Okland

Chapter 11

Adv#: 2:19-01102 Sunderland et al v. Okland

#12.00 Cont'd status conference re: Complaint for: (1)-(3) exception to discharge of certain debts [11 U.S.C. §§523(a)(2)(A),(4) and (6); (4)-(7) denial of discharge as to all debts [11 U.S.C. §§727(a)(2)-(5)]
fr. 8/13/19, 10/8/19, 2/4/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/10/20. No tentative ruling on the merits. Appearances are required on 4/14/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 2/3/20. No tentative ruling on the merits. Appearances are required on 2/4/20, but counsel may appear by telephone.

Prior tentative ruling as of 11/4/19. No tentative ruling on the merits. Appearances are required on 11/5/19, but counsel may appear by telephone.

Prior tentative ruling as of 10/7/19. The court has reviewed the joint status report, stating that defendant's counsel has been unable to communicate with his client and may have to file a motion to withdraw. Appearances are required on 10/8/19 to discuss the status of counsel's efforts to communicate with defendant and whether a motion to withdraw will be filed, but counsel may appear by telephone.

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Tuesday, April 14, 2020

Hearing Room 1675

1:30 PM

CONT... Dean Henrik Okland

Chapter 11

Prior tentative ruling as of 8/12/19. Off calendar. Continued by stipulation and order to 10/8/19 at 1:30 p.m. No appearances are required on 8/13/19.

Prior tentative ruling. The court has reviewed plaintiffs' unilateral status report and notes that plaintiffs resubmitted a request for entry of default on 6/7/19. The court on its own motion continues the status conference to 8/13/19 at 1:30 p.m. in order for plaintiffs' request for entry of default be considered by the court and for plaintiffs to prepare and file a motion for entry of default judgment. No appearances are required on 6/11/19.

Party Information

Debtor(s):

Dean Henrik Okland

Represented By
Matthew D. Resnik
Roksana D. Moradi-Brovia

Defendant(s):

Dean Henrik Okland

Represented By
Roksana D. Moradi-Brovia

Plaintiff(s):

Jennifer Sunderland

Represented By
Kimberly Wright

James Farrow

Represented By
Kimberly Wright

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, April 14, 2020

Hearing Room 1675

1:30 PM

2:19-13487 Georgie Charlie Chong Putera

Chapter 7

Adv#: 2:19-01198 Wheel Group Holdings, LLC v. Chong Putera

#13.00 Cont'd status conference re: Complaint to determine dischargeability of debtor
[11 U.S.C. §523(a)(6)]
fr. 9/3/19, 11/5/20, 1/28/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/10/20. Set a discovery cutoff date of 11/30/20 and a post-discovery status conference on 12/15/20 at 1:30 p.m. A joint status report is due on 12/8/20. Order the parties to mediation, and the parties are to file a request to select a mediator and an alternate mediator by 5/29/20 and complete mediation by 12/15/20. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Appearances are required on 4/14/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 11/4/19. The court will conduct the status conference at 2:00 p.m. with the hearing on the motion to dismiss the amended complaint which will be advanced from the 2:30 p.m. calendar to 2:00 p.m. No tentative ruling on the merits as to the status conference. Appearances are required on 11/5/19 at 2:00 p.m., but counsel may appear by telephone.

Prior tentative ruling as of 8/30/19. Appearances are required on 9/3/19, but

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Tuesday, April 14, 2020

Hearing Room 1675

1:30 PM

CONT... **Georgie Charlie Chong Putera**
counsel may appear by telephone.

Chapter 7

The court notes some proofreading deficiencies in the caption of the joint status report: (1) there is a fictitious bar number for Attorney Horowitz since California bar numbers are not yet in the 900,000s; (2) the name of plaintiff's law firm is spelled wrong. On page 2, item B.2, plaintiff refers to taking third party discovery by "spuboena." On page 3, item E.1, there is a reference to informal settlement discussions before and after the "Bankruptcy cse" was filed. Pleadings filed with the court should be proofread carefully before submission. While these deficiencies are not material, they indicate a lack of care in preparing court documents and do not reflect well on the drafter.

Party Information

Debtor(s):

Georgie Charlie Chong Putera

Represented By
Eliza Ghanooni

Defendant(s):

Georgie Charlie Chong Putera

Pro Se

Plaintiff(s):

Wheel Group Holdings, LLC

Represented By
Leslie R Horowitz

Trustee(s):

Sam S Leslie (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, April 14, 2020

Hearing Room 1675

2:00 PM

2:19-25098 Kathryn Lynn Printy

Chapter 7

#13.10 Hearing re: Chapter 7 trustee's application for authority to employ Cal American Homes & Realty as the trustee's broker

Docket 20

***** VACATED *** REASON: Vacated per order entered on 4/1/20-mb.**

Tentative Ruling:

Off calendar. The court has issued an order on the application on the papers, and the hearing is now moot. No appearances are necessary.

Party Information

Debtor(s):

Kathryn Lynn Printy

Represented By
Dennis E McGoldrick

Movant(s):

John J Menchaca (TR)

Represented By
Aram Ordubegian
Annie Y Stoops
M Douglas Flahaut

Trustee(s):

John J Menchaca (TR)

Represented By
Aram Ordubegian
Annie Y Stoops
M Douglas Flahaut

**United States Bankruptcy Court
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Tuesday, April 14, 2020

Hearing Room 1675

2:30 PM

2:13-26021 L Scott Apparel Inc.

Chapter 11

Adv#: 2:15-01122 Howard Grobstein as Liquidating Trustee of L. Scot v. Sharron et al

#14.00 Cont'd hearing re: Appearance and examination of judgment debtor Lowell Sharron as the designated representative of judgment debtor Beyond Basics LLC fr. 10/1/19, 11/19/19, 1/28/20

Docket 194

***** VACATED *** REASON: Cont'd from 4/14/20 to 7/14/20 at 2:30 p.m.
per stip & order entered on 4/8/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 4/10/20 Off calendar. Continued by stipulation and order to 7/14/20 at 2:30 p.m. No appearances are required on 4/14/20.

Prior tentative ruling as of 11/18/19 Off calendar. Continued by stipulation and order to 1/28/20 at 2:30 p.m. No appearances are required on 11/19/19.

Prior tentative ruling. Off calendar. Continued by stipulation and order to 11/19/19 at 2:30 p.m. No appearances are required on 10/1/19.

Party Information

Debtor(s):

L Scott Apparel Inc.

Represented By
David W Levene
Kurt Ramlo
Paul J Kurtzhall

Defendant(s):

Lowell S. Sharron

Represented By
Lloyd S Mann

Beyond Basics, LLC dba Daily

Represented By
Lloyd S Mann

Plaintiff(s):

Howard Grobstein as Liquidating

Represented By

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2:30 PM

CONT... L Scott Apparel Inc.

Chapter 11

Brian L Davidoff
Courtney E Norton
Lori L Werderitch
Keith Patrick Banner

**United States Bankruptcy Court
Central District of California
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Tuesday, April 14, 2020

Hearing Room 1675

2:30 PM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

Adv#: 2:20-01059 Gemcap Lending I, LLC, a Delaware limited company v. Dahlen et al

#15.00 Hearing re: Motion to dismiss

Docket 8

Tentative Ruling:

The court agrees with plaintiff that it should consider its nondispositive motion for remand first before defendants' dispositive motion to dismiss. Since the court grants plaintiff's motion for remand, the court does not rule on defendants' motion to dismiss which should be addressed by the state court on remand.

Appearances are required on 4/14/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Zacky & Sons Poultry, LLC

Represented By

Ron Bender

Juliet Y Oh

Todd M Arnold

Lindsey L Smith

Riley C Walter

Defendant(s):

Thomas Dahlen

Pro Se

**United States Bankruptcy Court
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Hearing Room 1675

2:30 PM

CONT... Zacky & Sons Poultry, LLC

Chapter 11

Marvin Scheidt

Pro Se

Michael Ozawa

Represented By
Brett N Taylor

George Blanco

Represented By
Brett N Taylor

Enterprise Management Advisors

Represented By
Brett N Taylor

Does 1-50, Inclusive

Pro Se

Plaintiff(s):

Gemcap Lending I, LLC, a Delaware

Represented By
Todd M Lander

**United States Bankruptcy Court
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Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, April 14, 2020

Hearing Room 1675

2:30 PM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

Adv#: 2:20-01059 Gemcap Lending I, LLC, a Delaware limited company v. Dahlen et al

#16.00 Hearing re: Plaintiff Gemcap Lending I, LLC's motion for order remanding action to State Court

Docket 15

Tentative Ruling:

Revised tentative ruling as of 4/13/20. Grant plaintiff's motion for order remanding action to state court. Deny as moot defendants' motion to dismiss adversary proceeding.

Plaintiff seeks an order remanding this removed action to state court. Pursuant to section 5.1 and 5.2 of a court-approved settlement agreement dated September 12, 2019 between plaintiff, debtor, the creditors' committee, and creditor Great Rock, plaintiff holds a perfected security interest in the debtor's insurance policy issued by Darwin Select Insurance Company, Policy No. 0309-9815 as well as the recoveries therefrom. Main Bankruptcy Case, ECF 355 at 68-69. Plaintiff also has sole and absolute discretion to litigate claims against insureds covered under the debtor's insurance policy. Id. at 68. Plaintiff filed a complaint in state court on January 2, 2020, asserting state law claims including negligent misrepresentation, gross negligence, and unfair business practices arising under the California Business and Professions Code. Plaintiff mailed the summons and complaint to the defendants on January 28, 2020. On March 9, 2020, certain defendants in the insurance action filed a notice of removal to the bankruptcy court, initiating this adversary proceeding. ECF 1. Plaintiff asserts that there is a lack of federal subject matter jurisdiction over the removed litigation, defendants' notice of removal contravenes the settlement agreement and is untimely, and equitable grounds exist in support of remanding the case back to state court pursuant to 28 U.S.C. § 1452(b).

The court determines that equitable grounds exist in support of remanding the case back to state court pursuant to 28 U.S.C. § 1452(b). The claims in this adversary proceeding are non-core and presents purely state law issues to be resolved between non-debtor parties. Further, the disposition of any proceeds

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from the litigation has already been determined in the court-approved settlement agreement. Here, the bankruptcy estate in this case has been substantially administered. The estate's interest in the prosecution of the state law claims alleged in the insurance action is minimal. Further, litigating these state law claims will take substantial time and resources.

"Claims related to bankruptcy cases may be removed to federal court under 28 U.S.C. § 1452." *Federal Home Loan Bank of Chicago v. Banc of America Securities LLC*, 448 B.R. 517, 523 (C.D. Cal. 2011). However, there is a "[s]trong presumption against removal [which] means the removing party bears the burden of establishing federal jurisdiction and that removal was proper." *Id.* (citing *Gaus v. Miles, Inc.*, 980 F.2d 564, 566 (9th Cir. 1992)). This bankruptcy court has jurisdiction in general over claims or causes of action under 11 U.S.C. § 1334 pursuant to a referral from the district court under 28 U.S.C. § 157.

"Bankruptcy courts have jurisdiction over all civil proceedings arising under title 11 [of the United States Code, the Bankruptcy Code], or arising in or related to cases under title 11." *In re Enron Corp.*, 296 B.R. 505, 508 (C.D. Cal. 2003).

"With respect to 28 U.S.C. § 1334(b), the statutory grant of 'related to' jurisdiction is quite broad." *Federal Home Loan Bank of Chicago v. Banc of America Securities LLC*, 448 B.R. at 523. "Courts in the Ninth Circuit generally apply the 'conceivable effect' test to determine whether an action is related to bankruptcy." *Id.* (citing *In re Fietz*, 852 F.2d 455, 457 (9th Cir. 1988) (adopting the "conceivable effect" test as set forth by the Third Circuit in *Pacor, Inc. v. Higgins*, 743 F.2d 784, 994 (3rd Cir. 1984))). Under that test, a court has related to jurisdiction if the outcome of the proceeding could conceivably have any effect on the estate being administered in bankruptcy. *Id.* (citation and quotations omitted).

Given the broad definition of "related to" jurisdiction under the conceivable effect test, the court determines that bankruptcy court jurisdiction likely exists because any proceeds from the Insurance Action may affect the bankruptcy estate's ability to distribute proceeds to unsecured creditors and administrative claimants.

Even if this court has "related to" bankruptcy jurisdiction, the court may "choose to equitably remand the case to state court." *Federal Home Loan Bank of Chicago v. Banc of America Securities LLC*, 448 B.R. 517, 527 (C.D. Cal. 2011).

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28 U.S.C. § 1452(b) provides that the court may remand a removed cause of action "on any equitable ground." 28 U.S.C. § 1452(b). This expansive prerogative "is an unusually broad grant of authority. It subsumes and reaches beyond all of the reasons for remand under nonbankruptcy removal statutes." In re McCarthy, 230 B.R. 414, 417 (9th Cir. BAP 1999). "Because the 'any equitable ground' standard is not statutorily defined, case law has imported factors governing discretionary abstention to assist with the remand decision." Id. (citing In re Roman Catholic Bishop of San Diego, 374 B.R. 756, 761 (Bankr. S.D. Cal. 2007)). The court does not consider mandatory or permissive abstention because the state court action has been removed to this court and there is no proceeding to abstain in favor of based on the Ninth Circuit's decision in Security Farms v. International Brotherhood of Teamsters, Chauffeurs, Warehousemen & Helpers, 124 F.3d 999 (9th Cir. 1997). The appropriate remedy to consider is equitable remand under 28 U.S.C. §1452(b), which employs substantially similar methods of analysis.

"Ninth Circuit courts consider up to fourteen factors in determining whether to remand a 'related to' case on equitable grounds," which factors include: "(1) the effect or lack thereof on the efficient administration of the estate if the Court recommends [remand or] abstention; (2) extent to which state law issues predominate over bankruptcy issues; (3) difficult or unsettled nature of applicable law; (4) presence of related proceeding commenced in state court or other non-bankruptcy proceeding; (5) jurisdictional basis, if any, other than § 1334; (6) degree of relatedness or remoteness of proceeding to main bankruptcy case; (7) the substance rather than the form of an asserted core proceeding; (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; (9) the burden on the bankruptcy court's docket; (10) the likelihood that the commencement of the proceeding in bankruptcy court involves forum shopping by one of the parties; (11) the existence of a right to a jury trial; (12) the presence in the proceeding of non-debtor parties; (13) comity; and (14) the possibility of possibility of prejudice to other parties in the action." Federal Home Loan Bank of Chicago v. Banc of America Securities LLC, 448 B.R. at 525 (citation omitted). "Because [28 U.S.C. §] 1452(b) affords 'an unusually broad grant of authority,' any one of the relevant factors may provide a sufficient basis for equitable

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remand." *Id.* at 525, (citation omitted). Nevertheless, "[w]hile these factors assist a court's remand decision, they do not control it." *In re Roman Catholic Bishop of San Diego*, 374 B.R. at 762.

In considering these factors applicable to the circumstances of this case, the court determines as follows:

Factor (1), the effect or lack thereof on the efficient administration of the estate if the Court recommends [remand or] abstention, favors remand because the bankruptcy estate is substantially administered and the estate's interest in the insurance action under the settlement is limited.

Factor (2), extent to which state law issues predominate over bankruptcy law issues, favors remand because California state law predominates and there are no bankruptcy law issues.

Factor (3), difficult or unsettled nature of applicable law, is neutral in that the California state law claims at issue do not seem to be difficult or unsettled, but are more appropriately decided by a California state court.

Factor (4), presence of related proceeding commenced in state court or other non-bankruptcy proceeding, favors remand since this proceeding had been commenced in state court.

Factor (5), jurisdictional basis, if any, other than § 1334, favors remand since the basis of any jurisdiction is only "related to" jurisdiction.

Factor (6), degree of relatedness or remoteness of proceeding to main bankruptcy case, favors remand because the proceeding is remote because it involves a dispute between nondebtor parties.

Factor (7), the substance rather than the form of an asserted core proceeding, favors remand because the claims arise under California law, and this is not a core proceeding.

Factor (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, favors remand because there are no core bankruptcy

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matters in this dispute.

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Factor (9), the burden on the bankruptcy court's docket, favors remand because the main bankruptcy case is winding down and the claims involve a dispute between nondebtor parties arising under nonbankruptcy California law.

Factor (10), the likelihood that the commencement of the proceeding in bankruptcy court involves forum shopping by one of the parties, is neutral.

Factor (11), the existence of a right to a jury trial, is neutral because plaintiff has not demanded a jury trial and it is unclear whether defendants will demand a jury trial as the pleadings are not at issue.

Factor (12), the presence in the proceeding of non-debtor parties, favors remand because this action only involves nondebtor parties and the bankruptcy estate is substantially administered.

Factor (13), comity, favors remand because the claims in the removed action arise under California law, this is not a core proceeding and comity favors plaintiff's choice of forum.

Factor (14), the possibility of prejudice to other parties in the action is neutral because there is no discernible prejudice to other parties.

The court's review indicates that the majority of factors favor remand, especially the more influential factors of whether the removed action involves core claims.

Because the removed insurance action only involves state law claims between non-debtor parties, the burden would be greater on this court to hear these claims rather than the state court. Moreover, the bankruptcy estate is substantially administered and the estate's interest in the insurance action is limited.

Accordingly, since the court should exercise its discretion to grant the motion and remand on equitable grounds, the court need not resolve plaintiff's objection to removal based on timeliness grounds. (If the court had to reach the timeliness issue, the court agrees with defendants that based on their more correct reading of *Murphy Bros., Inc. v. Michetti Pipe Stringing, Inc.*, 526 U.S. 344 (1999), the 30-day period for removal under 28 U.S.C. 1446(b)(1) begins upon proper

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service of the defendants under state law and the case of Anderson v. State Farm Mutual Automobile Insurance Co., 917 F.3d 1126 (9th Cir. 2019), service on the state insurance commissioner as a statutorily designated agent for defendant where there is no actual receipt of the pleadings upon service is a distinguishable situation.)

Appearances are required on 4/14/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Zacky & Sons Poultry, LLC

Represented By
Ron Bender
Juliet Y Oh
Todd M Arnold
Lindsey L Smith
Riley C Walter

Defendant(s):

Thomas Dahlen

Represented By
Heather L Rosing

Marvin Scheidt

Represented By
Heather L Rosing

Michael Ozawa

Represented By

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Brett N Taylor

George Blanco

Represented By
Brett N Taylor

Enterprise Management Advisors

Represented By
Brett N Taylor

Does 1-50, Inclusive

Pro Se

Plaintiff(s):

Gemcap Lending I, LLC, a Delaware

Represented By
Todd M Lander
Carol Chow

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2:19-10246 Dean Henrik Okland

Chapter 7

Adv#: 2:19-01367 Bandy et al v. Okland

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

Docket 16

Tentative Ruling:

Regarding plaintiff's motion for default judgment, the court has the following concerns that need to be addressed. First, because the underlying debt has not been liquidated, the court will have to determine the underlying state law tort to support the claims of nondischargeability under 11 U.S.C. 523(a)(2)(A) and (4). In re Bailey, 197 F.3d 997, 1000 (9th Cir. 1999). While the complaint alleges fraud, it does not specify the standard for fraud under appropriate state law, and the motion for default judgment does not contain any points and authority to set out the appropriate standard. Because plaintiffs are Washington state residents, and defendant was apparently a California state resident, it is not clear which state law the court should apply to determine tort liability for fraud, i.e., Washington v. California. Plaintiffs will have to set forth the appropriate legal standard under state law for their underlying fraud claims. Lu v. Liu (In re Liu), 282 B.R. 904, 907-908 (Bankr. C.D. Cal. 2002)(bankruptcy court has discretion to require a plaintiff to prove up entitlement to default judgment). Second, the amount of damages in the amount of \$972,262.03 that are requested in the motion through the declaration of plaintiff Garrett Bandy is not substantiated. There is no breakdown of how that amount is calculated, and there is no supporting documentation to show that plaintiffs parted with the funds to defendant or incurred expenses as a result of defendant's misconduct. The court will require plaintiffs to prove the amounts up with admissible evidence to establish a prima facie case for damages. In re Liu, supra. Third, the amount of damages claimed in the motion exceeds the amount alleged in the complaint of \$700,000. As a matter of fundamental fairness and due process of law, the amount awarded on default cannot exceed the prayer in the complaint. Federal Rule of Civil Procedure 54(c) ("A default judgment must not differ in kind from, or exceed in amount, what is demanded in the pleadings."); Fehlhaber v. Fehlhaber, 681 F.2d 1015, 1024-1025 (5th Cir. 1982). Strictly speaking, the prayer in the

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complaint does not demand a specific amount of damages, but paragraph 36 says that plaintiffs have been damaged in an amount exceeding \$700,000, but it would be fundamentally unfair to award more than what was specifically requested in the complaint. Plaintiffs can request leave to amend the complaint to seek a higher amount or be prepared to prove damages as alleged in the complaint of \$700,000.

Appearances are required on 4/14/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Dean Henrik Okland

Pro Se

Defendant(s):

Dean Henrik Okland

Pro Se

Plaintiff(s):

Garrett Bandy

Represented By
David S Hagen

Heather Foster

Represented By
David S Hagen

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Jeffrey S Shinbrot

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Adv#: 2:19-01367 Bandy et al v. Okland

#18.00 Cont'd status conference re: Complaint to determine dischargeability of debt (11 U.S.C. §§523(a)(2)(A) and 523(a)(4) fr. 11/12/19, 3/31/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/10/20. No tentative ruling on the merits. Appearances are required on 4/14/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/20/20. Off calendar. The court has reviewed plaintiff's unilateral status report filed on 3/16/20, stating that he has filed a motion for default judgment set for hearing on 4/14/20 at 2:30 p.m. The court on its own motion continues the status conference to be conducted with the hearing on plaintiff's motion for default judgment on 4/14/20 at 2:30 p.m. No appearances are required on 3/31/20.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report. Set a discovery cutoff date of 2/28/20, and a post-discovery status conference on 3/31/20 at 1:30 p.m. with a joint status report due on 3/24/20. These dates will likely be moot if a motion for default judgment is filed and ruled upon in the meantime. Appearances are optional on 11/6/19, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

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Chapter 7

Party Information

Debtor(s):

Dean Henrik Okland Pro Se

Defendant(s):

Dean Henrik Okland Pro Se

Plaintiff(s):

Garrett Bandy Represented By
David S Hagen

Heather Foster Represented By
David S Hagen

Trustee(s):

Howard M Ehrenberg (TR) Represented By
Jeffrey S Shinbrot

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2:12-15626 Forbco Sizzler Partners, L.P.

Chapter 11

#1.00 Cont'd status conference re: Post confirmation of plan
fr. 12/4/19, 1/8/20, 3/4/20

Docket 1

***** VACATED *** REASON: Cont'd from 4/15/20 to 5/6/20 at 2:30 p.m.
per hearing held on 4/1/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 4/10/20. Off calendar. Continued to 5/6/20 at 2:30 p.m. by oral ruling at hearing on 4/1/20. No appearances are required on 4/15/20.

Prior tentative ruling as of 3/3/20. No tentative ruling on the merits. Appearances are required on 3/4/20, but counsel may appear by telephone.

Prior tentative ruling as of 1/6/20. No tentative ruling on the merits. Appearances are required on 1/8/20, but counsel may appear by telephone.

Prior tentative ruling as of 12/2/19. No tentative ruling on the merits. Appearances are required on 12/4/19, but counsel may appear by telephone.

Prior tentative ruling as of 5/28/19. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 5/29/19, but counsel may appear by telephone.

Party Information

Debtor(s):

Forbco Sizzler Partners, L.P.

Represented By
Robert E Opera
Sean A OKeefe

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2:16-15322 Curtis C. Magleby

Chapter 11

#2.00 Hearing re: Motion for order (1) approving settlement between debtor and creditor Cindy Magleby pursuant to FRBP 9019 and (2) authorizing payments provided for therein

Docket 777

Tentative Ruling:

Because the court anticipates that this will be a lengthy hearing, given the arguments of the parties, the court will call this matter at 11:30 a.m., not at 11:00 a.m., as other matters on the 11:00 a.m. will also require substantial hearing time, but probably not as much as this matter. Counsel should call in at 11:30 a.m. for this matter.

The court has reviewed debtor's motion to approve compromise with creditor Cindy Magleby, and with several caveats, the court could find that the settlement is in good faith and fair and reasonable. The proposed settlement resolves the claims of debtor and Mrs. Magleby with each other, which arise of their pending marital dissolution proceedings pending in state court. In considering the fairness, reasonableness and adequacy of the settlement under *In re A & C Properties*, 784 F.2d 1377, 1381 (9th Cir. 1986), the court looks at the probability of success in the litigation, the difficulties, if any, to be encountered 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 in the premises. The litigation between these parties involve disputes over spousal support, division of community property assets, payment of Mrs. Magleby's professionals, objections to her claims and the adversary proceedings between them, and the litigation involves very fact-intensive determinations under California family law relating to debtor's compensation relating to her claims of past and ongoing spousal and child support, Mrs. Magleby's use of estate assets, namely, the family residence, division of community property, and claims for compensation for use of community property by the other party. This litigation, if not settled, will be likely time-consuming and expensive to conduct as further evidentiary

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hearings would be required, which would be a substantial drain on estate assets. Given the factually intensive nature of this litigation, there would be considerable expense, delay and inconvenience to the estate in litigating these disputes. Moreover, there is considerable risk that Mrs. Magleby would prevail on some or all of her claims against the estate and defenses to its claims, reducing the availability of assets for distribution to creditors as many of her claims would be entitled to priority as domestic support obligations under 11 U.S.C. 507(a)(1). The settlement fixes and reduces the amount of her claims and those of her professionals against the estate. Even if the estate prevailed on its claims against her, there is collection risk as it appears that she has minimal income and assets from which to pay the estate's claims. Thus, it appears that the settlement could be approved under FRBP 9019, but for the following caveats.

The caveats that the court has are as follows:

1. In providing for a release and discharge of claims for attorneys' fees, the settlement improperly impairs the unobjected to claim of creditor Freid & Goldsman APC as argued by that creditor in its objection. That creditor has filed a proof of claim to which debtor had withdrawn his objection without prejudice. Pursuant to FRBP 3001(f) and 3002(a), the objected to proof of claim is prima facie evidence of the validity and the amount of the claim and is deemed allowed and entitled to a distribution in the case. See also, 11 U.S.C. 501. Based on the deemed allowed proof of claim, Freid & Goldsman has standing to object as a creditor in this case under 11 U.S.C. 1109(b). Nevertheless, it appears that debtor is probably right that Freid & Goldsman should not be treated as a creditor based on its proof of claim because the claim is for fees that it earned as Mrs. Magleby's former family law counsel and that debtor is not a contractual party liable for payment of its fees and because while debtor may have been ordered to pay fees of her attorneys, the firm does not have a direct right to payment of fees from him or the estate, but its right is derivative of her right since she was the party to whom fees were awarded. *Meadows v. Superior Court*, 59 Cal.2d 610, 615-617 (1963). However, debtor through the settlement cannot impair the rights of Freid & Goldsman as the holder of a deemed allowed claim by subjecting the claim to release

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and discharge under the settlement unless he objects to the claim and prevails. See *In re CS Mining, LLC*, 574 B.R. 259, 282 (Bankr. D. Utah 2017) (a proposed settlement cannot be approved under FRBP 9019 which infringes on the rights of a party with rights to a determination of a claims objection under 11 U.S.C. 502). (In contrast, objecting party G&B, LLB, Mrs. Magleby's former bankruptcy counsel. does not have standing to object to the settlement since it is not a creditor of debtor, having no contractual or other compensatory relationship with him).

2. Paragraph 17 of the Deal Memo pertaining to "Waivers, etc." lacks clarity as to the releases and discharge of liability. It appears that the intent is that debtor, his heirs and assigns and representatives release and discharge Mrs. Magleby of any liability that she may have to him and his attorneys, representatives and heirs and assigns and that she, her heirs and assigns and representatives release and discharge him of any liability that he may have to her and her attorneys, representatives and heirs and assigns. It should be clarified that the releases and discharges of liability in paragraph 17 do not absolve either debtor or Mrs. Magleby of their liability to their own attorneys, including Freid & Goldsman, APLC, and Greenberg & Bass, LLP (now G&B, LLP). There is some language in paragraph 12 regarding attorneys' fees that each party is responsible for his or her own attorneys' fees, but except as set forth in the Deal Memo. It seems to the court that it should be clarified that the releases and discharges are with respect to the other party's liability, not the contracting party's.

3. The settlement provides for substantial and immediate distributions of estate assets to certain parties, including Mrs. Magleby, outside a confirmed plan. In Chapter 11, distributions to creditors and interest holders should be made only after a plan is confirmed by the court as the amounts and timing of the distributions of estate assets are controlled by the terms of the confirmed plan. FRBP 3021; Official Committee of Equity

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Security Holders v. Mabey, 832 F.2d 299, 302 (4th Cir. 1987) (reversing district court order authorizing preconfirmation distributions to certain Dalkon Shield victims); In re Air Beds, Inc., 92 B.R. 419, 422-424 (9th Cir. BAP 1988) (reversing bankruptcy court order authorizing preconfirmation distribution of sale proceeds to pay prepetition taxes); see also, Czyzeswki v. Jevic Holding Corp., 137 S.Ct. 973 (2017) (a bankruptcy court may not approve a structured dismissal of a Chapter 11 case that provides for distributions that do not follow the Bankruptcy Code's ordinary priority rules without the affected creditors' consent). While the proposed settlement resolves a, if not the, remaining major dispute in this case, the settlement does not provide information on how the remaining outstanding claims will be treated and paid in this case, and that underscores the need to have a plan confirmation process here so that all claims can be resolved. Specifically, debtor needs to address how the court may properly approve the settlement providing for immediate distributions of estate assets without a confirmed plan.

4. In sum, it seems to the court that debtor will need to object to the claim of Freid & Goldsman and prevail, and then be in a position to implement the settlement though a confirmed plan or some type of structured dismissal providing for consensual treatment of the remaining unpaid creditors.

Appearances are required on 4/15/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

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2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#3.00 Cont'd hearing re: Motion to dismiss case for under 11 U.S.C. § 1112(B)
fr. 2/18/20, 2/19/20

Docket 123

Tentative Ruling:

Updated tentative ruling as of 4/13/20. No tentative ruling on the merits. Appearances are required on 4/15/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling. The court based on the oral agreement of the appearing parties, the movant Acon and debtor, to continue the hearing to 2/19/20 at 11:00 a.m. to be conducted with the hearing on the debtor's disclosure statement on 2/19/20 at 11:00 a.m. No appearances are required on 2/18/20.

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, April 15, 2020

Hearing Room 1675

11:00 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#4.00 Cont'd hearing re: Motion for order authorizing use of cash collateral and providing adequate protection pursuant to sections 361 and 363 of the bankruptcy code fr. 2/5/20

Docket 125

Tentative Ruling:

Updated tentative ruling as of 4/13/20. No tentative ruling on the merits. Appearances are required on 4/15/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 2/3/20. Appearances are required on 2/5/20, 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, April 15, 2020

Hearing Room 1675

11:00 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#5.00 Hearing re: Confirmation of plan
fr. 2/19/20

Docket 119

Tentative Ruling:

Updated tentative ruling as of 4/13/20. No tentative ruling on the merits. Plan confirmation appears to be a contested matter under FRBP 9014 since there is a dispute over feasibility of the plan based on creditor Acon's objection and its related motion to dismiss as well as debtor's objection to Acon's amended claim. It seems that the court should set a schedule of pretrial proceedings for litigation of these related contested matters.

Appearances are required on 4/15/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 2/18/20. Appearances are required on 2/19/20, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures. 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, April 15, 2020

Hearing Room 1675

11:00 AM

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**

Wednesday, April 15, 2020

Hearing Room 1675

11:00 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#6.00 Cont'd status conference re: Management of chapter 11 case
fr. 1/8/20, 2/19/20, 3/11/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/13/20. No tentative ruling on the merits. Appearances are required on 4/15/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/9/20. Off calendar. The court on its own motion continues the status conference to 4/15/20 at 11:00 a.m. to be conducted with the hearing on confirmation on debtor's proposed reorganization plan noticed for hearing on that date at that time. No appearances are required on 3/11/20.

Prior tentative ruling as of 2/18/20. No tentative ruling on the merits. Appearances are required on 2/19/20, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures.but counsel may appear by telephone.

Prior tentative ruling as of 1/6/20. No tentative ruling on the merits. Appearances are required on 1/8/20, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures.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 15, 2020

Hearing Room 1675

11:00 AM

CONT... People Who Care Youth Center, Inc. Chapter 11

Revised tentative ruling as of 12/01/19. The court has reviewed debtor's status report, and creditor Acon Development's unilateral status report stating that it intended to file a motion to dismiss. No tentative ruling on the merits. Appearances are required on 12/11/19 to discuss the status of debtor's reorganization efforts and filing of disclosure statement and plan, 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, April 15, 2020

Hearing Room 1675

11:00 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#7.00 Status conference re: Objection to claim number 4 by claimant US Bank National Association as Trustee for Velocity Commercial Capital Loan Trust 2014-1 fr. 1/17/20, 2/28/20, 3/4/20

Docket 115

Tentative Ruling:

Updated tentative ruling as of 4/13/20. The court will call this matter first on the 11:00 a.m. calendar because this matter should not take much time to discuss as the other matters on calendar will be somewhat lengthy, and counsel should appear promptly at 11:00 a.m. to be heard, or otherwise, they might have to wait a long time for their matter to be heard, perhaps past noon.

In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the chief judge of the United States District Court for the Central District of California issued an Order of the Chief Judge No. 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court cannot conduct an in person trial in the courtroom until at least May 1, 2020. Moreover, the County of Los Angeles and City of Los Angeles have issued public health orders prohibiting public and private gatherings in their jurisdictions until at least April 19, 2020, which are likely to be extended, which orders may apply to the trial. The court schedules the status conference on 4/7/20 to discuss with the parties how a trial in the matter may be conducted and when possibly it can be scheduled. Given the current surge of coronavirus cases in the court and in the state and the need for appropriate social distancing, it would probably be prudent not to schedule so soon. In this court's view, a trial will not be scheduled earlier than 6/1/20. A court committee is being appointed to

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

Wednesday, April 15, 2020

Hearing Room 1675

11:00 AM

CONT... Raesi Group, Inc

Chapter 11

consider the conduct of video evidentiary hearings, but whether this is technically feasible and legally proper has not yet determined for this court yet.

Appearances are required on 4/15/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion must and does vacate the evidentiary hearing for the contested matter of Debtor's objection to Claim No. 4 of U.S. Bank National Association as Trustee for Velocity Commercial Capital Loan Trust 2014-1 in this bankruptcy case scheduled for April 22, 2020 at 9:00 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012 because in person appearances are not permitted in the courthouse on that date. No appearances are required on April 22, 2020 at 9:00 a.m. as the evidentiary hearing on that date is vacated.

The court further on its own motion sets a status conference in this contested matter on April 15, 2020 at 11:00 a.m. in Courtroom 1675, Roybal Federal

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

Wednesday, April 15, 2020

Hearing Room 1675

11:00 AM

CONT...

Raesi Group, Inc

Chapter 11

Building, 255 East Temple Street, Los Angeles, California 90012. The purpose of the status conference is to discuss rescheduling the evidentiary hearing on the claim objection. Because the Roybal Federal Building is closed to the public on April 15, 2020 by the aforementioned order of the United States District Court, the parties to this contested matter and their counsel must appear telephonically at the status conference in accordance with the court's telephone appearance procedures posted online on the court's website.

Prior tentative ruling as of 3/9/20. Off calendar. The court vacated the hearing on 3/11/20 after resetting the matter for trial on 4/22/20 at 9:00 a.m. No appearances are required on 3/11/20.

Prior tentative ruling as of 1/16/20. Off calendar. Continued by stipulation and order to 2/28/20 at 10:00 a.m. No appearances are required on 1/17/20.

Prior tentative ruling as of 11/13/19. Off calendar. Evidentiary hearing on 11/15/19 vacated by order entered on 11/13/19, and telephonic status conference is set for 11/26/19 at 1:30 p.m. to reschedule evidentiary hearing if the parties are unable to stipulate to a continued hearing date and time. No appearances are required on 11/15/19.

Revised tentative ruling as of 10/2/19. Off calendar. Continued by stipulation and order to 11/15/19 at 9:00 a.m. No appearances are required on 10/4/19.

Prior tentative ruling as of 7/29/19. No tentative ruling on the merits. Appearances are required on 7/31/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. No tentative ruling on the merits. Appearances are required on 6/26/19.

Prior tentative ruling. Treat the motion objecting to claim as a contested matter under FRBP 9014 and set a schedule of pretrial proceedings, including discovery, since there are disputed issues of material fact. Parties should confer regarding an appropriate schedule if they can. Appearances are required on 5/8/19, 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 15, 2020

Hearing Room 1675

11:00 AM

CONT... **Raeisi Group, Inc**

Chapter 11

Creditor may be entitled to its claim for attorneys' fees under 11 U.S.C. 506(b) pursuant to contract based on its loan agreement secured by deed of trust, which were upheld as valid in the state court litigation. The four elements for a claim under 11 U.S.C. 506(b) are: (1) its claim is an allowed secured claim; (2) it is an oversecured creditor; (3) the fees it asserts are reasonable; and (4) the fees it asserts are provided for under an agreement under which such claim arose, or the fees are provided for under a state statute under which the creditor's claim arose. In re Astle, 364 B.R. 735, 741 (Bankr. D. Idaho 2007). The claim is an allowed secured claim based on the state court judgment, though the judgment is on appeal. The creditor is an oversecured creditor, which is not in dispute. The reasonableness of the fees it asserts is in material dispute. Creditor has only submitted redacted versions of its counsel's fee statements, which do not provide sufficient information for the court to review for reasonableness. Creditor must file unredacted versions, or submit unredacted versions in camera with a privilege log if creditor claims that the reacted matter is privileged. Debtor as the objecting party must carry its burden of explaining what in the fee statements are unreasonable or at least what would be reasonable under the circumstances. In re Koncicky, 2007 WL 7540997 (9th Cir. BAP 2007)(unpublished memorandum opinion) (citation omitted). Debtor has the responsibility to challenge the information and provide evidence controverting that produced by creditor. Id. Debtor has not met this burden. The fees that creditor asserts are provided by the loan agreement between it and its borrower providing for reasonable attorneys' fees if it incurs or pays to maintain, protect or enforce its rights under the loan agreement as secured by the deed of trust. Exhibits A and C to Favela Declaration. Case law in California allows such fees to be added to the balance under the promissory note secured by trust deed. Chacker v. JPMorgan Chase Bank, N.A., 27 Cal.App.5th 351, 356-358 (2018). However, there is no separate award of attorneys' fees authorized by statute, such as California Civil Code 1717 because debtor is not a signatory to the contract in the loan agreement and creditor has not otherwise shown that it would have been liable for the fees of the opposing party if the opposing party had prevailed. Asphalt Professionals, Inc. v. Davis (In re Davis), 595 B.R. 818, 837 (Bankr. C.D. Cal. 2019), citing, Dell Merk, Inc. v. Franzia, 132 Cal.App.4th 443, 441 (2005). Thus, creditor will need to submit fully unredacted copies of its fee statements to the court, and debtor will need to explain what in the fee statements are unreasonable and/or produce evidence showing that the fees are unreasonable.

Party Information

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

Wednesday, April 15, 2020

Hearing Room 1675

11:00 AM

CONT... Raesi Group, Inc

Chapter 11

Debtor(s):

Raesi Group, Inc

Represented By
Christopher P Walker

Movant(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 15, 2020

Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#8.00 Status conference re: Motion for relief from stay
(County of Riverside VS Debtor)
fr. 9/19/19, 11/14/19, 2/7/20

Docket 20

***** VACATED *** REASON: Cont'd from 4/15/20 to 4/29/20 at 11:00 a.m.
per stip & order entered on 4/3/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 4/10/20. Off calendar. Continued by stipulation and order to 4/29/20 at 11:00 a.m. No appearances are required on 4/15/20.

Prior tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion must and does vacate the evidentiary hearing for the contested matter of the motion of the Riverside County Treasurer-Tax Collector for relief from the automatic stay in this bankruptcy case scheduled for May 1, 2020 at 10:00 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012 because in person appearances are not permitted in the courthouse on that date. No appearances are required on May 1, 2020 at 10:00 a.m. as the evidentiary hearing on that date is vacated.

The court further on its own motion sets a status conference in this contested matter on April 15, 2020 at 11:00 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012. The purpose

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

Wednesday, April 15, 2020

Hearing Room 1675

11:00 AM

CONT...

Charles Peters

Chapter 11

of the status conference is to discuss rescheduling the evidentiary hearing on the motion. Because the Roybal Federal Building is closed to the public on April 15, 2020 by the aforementioned order of the United States District Court, the parties to this contested matter and their counsel must appear telephonically at the status conference in accordance with the court's telephone appearance procedures posted online on the court's website. The court has scheduled the status conference to be conducted with other matters scheduled for hearing in this bankruptcy case on April 15, 2020 at 11:00 a.m.

Prior tentative ruling as of 8/16/19. Off calendar. Continued by stipulation and order to 11/14/19 at 10:00 a.m. No appearances are required on 9/19/19.

Prior 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

Wednesday, April 15, 2020

Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#9.00 Hearing re: Motion for order approving disclosure statement describing chapter 11 plan of reorganization

Docket 257

*** VACATED *** REASON: Cont'd from 4/15/20 to 4/29/20 at 11:00 a.m.
per stip & order entered on 4/3/20-mb.

Tentative Ruling:

Updated tentative ruling as of 4/10/20. Off calendar. Continued by stipulation and order to 4/29/20 at 11:00 a.m. No appearances are required on 4/15/20.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Giovanni Orantes
Luis A Solorzano

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

Wednesday, April 15, 2020

Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#10.00 Cont'd hearing re: Application for payment of interim fees and/or expenses for Jennifer M Liu, accountant
fr. 1/29/20, 2/5/20

Docket 218

Tentative Ruling:

Updated tentative ruling as of 4/13/20. Off calendar. The court on its own motion continues the hearing on this matter to 4/29/20 at 11:00 a.m. to be heard with the hearing on debtor's disclosure statement. No appearances are required on 4/15/20.

Prior tentative ruling. Applicant has not shown that the requirement of LBR 2016-1(a)(1)(J) is satisfied that either (1) there is a separately filed declaration from the client indicating that the client has reviewed the application and has no objection to it; or (2) if the client refuses to provide such a declaration, the applicant has filed a declaration describing the steps that were taken to obtain the client's declaration and the client's response thereto. If debtor wants applicant to render services to the estate, debtor should state a position whether the requested interim fees may be approved and paid. Appearances are required on 2/5/20, but counsel and applicant 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, April 15, 2020

Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#11.00 Cont'd hearing re: Fourth interim application for compensation and reimbursement of expenses of Michael Jay Berger, Period: 6/27/2019 to 11/30/2019, Fee: \$28,214.50, Expenses: \$715.30 fr. 1/19/20, 2/5/20

Docket 215

Tentative Ruling:

Updated tentative ruling as of 4/13/20. Off calendar. The court on its own motion continues the hearing on this matter to 4/29/20 at 11:00 a.m. to be heard with the hearing on debtor's disclosure statement. No appearances are required on 4/15/20.

Prior tentative ruling. No tentative ruling on the merits in light of objections to the interim fee application by debtor and creditor James Regan. The court is inclined to defer a ruling on the interim fee application until fee applications of estate professionals are considered on a final basis pursuant to LBR 2016-1(c)(3) and because the estate lacks funds to pay the interim fee application at this time. It seems to the court that it is a better use of litigation resources to litigate the fee application of applicant on a final fee when the case is ready for disposition through the plan confirmation process. Appearances are required on 2/5/20, but counsel and applicant 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, April 15, 2020

Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#12.00 Cont'd status conference re: Management of chapter 11 case
fr. 6/26/19, 10/2/19, 2/5/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/13/20. Off calendar. The court on its own motion continues the hearing on this matter to 4/29/20 at 11:00 a.m. to be heard with the hearing on debtor's disclosure statement. No appearances are required on 4/15/20.

Prior tentative ruling as of 2/3/20. No tentative ruling on the merits. At least, new proposed counsel for debtor should appear and discuss how debtor plans to proceed with the case. Appearances are required on 2/5/20, but counsel may appear by telephone.

Prior tentative ruling as of 9/30/19. No tentative ruling on the merits. Appearances are required on 10/2/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 6/26/19, 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, April 15, 2020

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

#13.00 Cont'd hearing re: Motion to amend adversary complaint and to add Jennifer, quiet title, cancel the deed and note
fr. 1/15/19, 8/28/19, 1/15/20

Docket 399

***** VACATED *** REASON: Cont'd from 4/15/20 to 5/20/20 at 1:30 p.m.
per order entered on 3/20/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion continues the status conference and related hearings in this adversary proceeding scheduled for April 15, 2020 at 1:30 p.m. to May 20, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference and related hearings are continued to May 20, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Prior tentative ruling as of 1/13/20. No tentative ruling on the merits. Appearances are required on 1/15/20.

Prior tentative ruling as of 8/26/19. No tentative ruling on the merits. Appearances are required on 8/28/19.

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

Wednesday, April 15, 2020

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

Revised tentative ruling as of 4/29/19. Off calendar. Continued by stipulation and order to 8/28/19 at 1:30 p.m. No appearances are required on 4/30/19.

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, April 15, 2020

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

#14.00 Cont'd hearing re: Plaintiff/creditor, James Lee Clark's notice of motion to compel further discovery responses to defendant/debtor Rita Gail Ellison-Farris fr. 8/28/19, 1/15/20

Docket 377

***** VACATED *** REASON: Cont'd from 4/15/20 to 5/20/20 at 1:30 p.m.
per order entered on 3/20/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion continues the status conference and related hearings in this adversary proceeding scheduled for April 15, 2020 at 1:30 p.m. to May 20, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference and related hearings are continued to May 20, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Prior tentative ruling as of 1/13/20. No tentative ruling on the merits. Appearances are required on 1/15/20.

Prior tentative ruling as of 8/26/19. No tentative ruling on the merits. Appearances are required on 8/28/19.

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

Wednesday, April 15, 2020

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

Revised tentative ruling as of 4/29/19. Off calendar. Continued by stipulation and order to 8/28/19 at 1:30 p.m. No appearances are required on 4/30/19.

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, April 15, 2020

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

#15.00 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. 2/21/19, 8/28/19, 1/15/20

Docket 362

***** VACATED *** REASON: Cont'd from 4/15/20 to 5/20/20 at 1:30 p.m.
per order entered on 3/20/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion continues the status conference and related hearings in this adversary proceeding scheduled for April 15, 2020 at 1:30 p.m. to May 20, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference and related hearings are continued to May 20, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Prior tentative ruling as of 1/13/20. No tentative ruling on the merits. Appearances are required on 1/15/20.

Prior tentative ruling as of 8/26/19. No tentative ruling on the merits. Appearances are required on 8/28/19.

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

Wednesday, April 15, 2020

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

Revised tentative ruling as of 4/29/19. Off calendar. Continued by stipulation and order to 8/28/19 at 1:30 p.m. No appearances are required on 4/30/19.

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, April 15, 2020

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

#16.00 Cont'd 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 fr. 2/21/19, 8/28/19, 1/15/20

Docket 412

***** VACATED *** REASON: Cont'd from 4/15/20 to 5/20/20 at 1:30 p.m.
per order entered on 3/20/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion continues the status conference and related hearings in this adversary proceeding scheduled for April 15, 2020 at 1:30 p.m. to May 20, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference and related hearings are continued to May 20, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Prior tentative ruling as of 1/13/20. No tentative ruling on the merits. Appearances are required on 1/15/20.

Prior tentative ruling as of 8/26/19. No tentative ruling on the merits. Appearances are required on 8/28/19.

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

Wednesday, April 15, 2020

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

Revised tentative ruling as of 4/29/19. Off calendar. Continued by stipulation and order to 8/28/19 at 1:30 p.m. No appearances are required on 4/30/19.

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, April 15, 2020

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

#17.00 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. 2/21/19, 8/28/19, 1/15/20

Docket 351

***** VACATED *** REASON: Cont'd from 4/15/20 to 5/20/20 at 1:30 p.m.
per order entered on 3/20/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion continues the status conference and related hearings in this adversary proceeding scheduled for April 15, 2020 at 1:30 p.m. to May 20, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference and related hearings are continued to May 20, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Prior tentative ruling as of 1/13/20. No tentative ruling on the merits. Appearances are required on 1/15/20.

Prior tentative ruling as of 8/26/19. No tentative ruling on the merits. Appearances are required on 8/28/19.

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

Wednesday, April 15, 2020

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

Revised tentative ruling as of 4/29/19. Off calendar. Continued by stipulation and order to 8/28/19 at 1:30 p.m. No appearances are required on 4/30/19.

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, April 15, 2020

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

#18.00 Cont'd hearing re: Motion to abstain
fr. 8/28/19, 1/15/20

Docket 414

***** VACATED *** REASON: Cont'd from 4/15/20 to 5/20/20 at 1:30 p.m.
per order entered on 3/20/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion continues the status conference and related hearings in this adversary proceeding scheduled for April 15, 2020 at 1:30 p.m. to May 20, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference and related hearings are continued to May 20, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Prior tentative ruling as of 1/13/20. No tentative ruling on the merits. Appearances are required on 1/15/20.

Prior tentative ruling as of 8/26/19. No tentative ruling on the merits. Appearances are required on 8/28/19.

Revised tentative ruling as of 4/29/19. Off calendar. Continued by stipulation

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

Wednesday, April 15, 2020

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

and order to 8/28/19 at 1:30 p.m. No appearances are required on 4/30/19.

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, April 15, 2020

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

#19.00 Cont'd 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 fr. 12/18/18, 8/28/19, 1/15/20

Docket 397

***** VACATED *** REASON: Cont'd from 4/15/20 to 5/20/20 at 1:30 p.m.
per order entered on 3/20/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion continues the status conference and related hearings in this adversary proceeding scheduled for April 15, 2020 at 1:30 p.m. to May 20, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference and related hearings are continued to May 20, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Prior tentative ruling as of 1/13/20. No tentative ruling on the merits. Appearances are required on 1/15/20.

Prior tentative ruling as of 8/26/19. No tentative ruling on the merits. Appearances are required on 8/28/19.

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

Wednesday, April 15, 2020

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

Revised tentative ruling as of 4/29/19. Off calendar. Continued by stipulation and order to 8/28/19 at 1:30 p.m. No appearances are required on 4/30/19.

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, April 15, 2020

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

#20.00 Cont'd hearing re: Plaintiff/creditor, James Lee /Clark's notice of motion to compel inspection and to produce documents and response from and to defendant/debtor Rita Gail Ellison-Farris; request for terminating sanctions fr. 8/28/19, 1/15/20

Docket 390

***** VACATED *** REASON: Cont'd from 4/15/20 to 5/20/20 at 1:30 p.m.
per order entered on 3/20/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion continues the status conference and related hearings in this adversary proceeding scheduled for April 15, 2020 at 1:30 p.m. to May 20, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference and related hearings are continued to May 20, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Prior tentative ruling as of 1/13/20. No tentative ruling on the merits. Appearances are required on 1/15/20.

Updated tentative ruling as of 8/26/19. No tentative ruling on the merits. Appearances are required on 8/28/19.

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

Wednesday, April 15, 2020

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

Revised tentative ruling as of 4/29/19. Off calendar. Continued by stipulation and order to 8/28/19 at 1:30 p.m. No appearances are required on 4/30/19.

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, April 15, 2020

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

#21.00 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. 2/21/19, 8/28/19, 1/15/20

Docket 1

***** VACATED *** REASON: Cont'd from 4/15/20 to 5/20/20 at 1:30 p.m.
per order entered on 3/20/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion continues the status conference and related hearings in this adversary proceeding scheduled for April 15, 2020 at 1:30 p.m. to May 20, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference and related hearings are continued to May 20, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Prior tentative ruling as of 1/13/20. No tentative ruling on the merits.
Appearances are required on 1/15/20.

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

Wednesday, April 15, 2020

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

Prior tentative ruling as of 8/26/19. No tentative ruling on the merits.
Appearances are required on 8/28/19.

Revised tentative ruling as of 4/29/19. Off calendar. Continued by stipulation
and order to 8/28/19 at 1:30 p.m. No appearances are required on 4/30/19.

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

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, April 15, 2020

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**

Wednesday, April 15, 2020

Hearing Room 1675

1:30 PM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:14-01088 Clark v. Farris-Ellison

#22.00 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. 4/30/19, 8/28/19, 1/15/20

Docket 1

***** VACATED *** REASON: Cont'd from 4/15/20 to 5/20/20 at 1:30 p.m. per order entered on 3/20/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion continues the status conference and related hearings in this adversary proceeding scheduled for April 15, 2020 at 1:30 p.m. to May 20, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference and related hearings are continued to May 20, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Prior tentative ruling as of 1/13/20. No tentative ruling on the merits. Appearances are required on 1/15/20.

Prior tentative ruling as of 8/26/19. No tentative ruling on the merits. Appearances are required on 8/28/19.

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

Wednesday, April 15, 2020

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

Revised tentative ruling as of 4/29/19. Off calendar. Continued by stipulation and order to 8/28/19 at 1:30 p.m. No appearances are required on 4/30/19.

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, April 21, 2020

Hearing Room 1675

10:30 AM

2:19-24787 Bradley Edward Barnes and Allison Platz Barnes

Chapter 7

#1.00 Cont'd hearing re: Motion for relief from stay
(WVBAGD, LLC VS Debtors)
fr. 4/7/20

Docket 26

Tentative Ruling:

Revised tentative ruling as of 4/17/20. Off calendar. Motion resolved by stipulation and order. No appearances are required on 4/21/20.

Prior tentative ruling.

Grant in part as to prospective relief from the automatic stay, and Deny in part without prejudice, or continue to allow creditor to make a proper showing for retroactive relief from stay under the applicable legal standard.

Creditor is seeking relief from stay in a prepetition action, specifically, a cross-action initiated by Debtor against Creditor in state court. Creditor seeks to retroactively validate its postpetition actions in the state court proceeding, which involved a prepetition motion to compel discovery and request for discovery sanctions and fees against Debtor. Subsequent to the state court litigation proceedings compelling discovery and awarding sanctions against Debtor, the Chapter 7 trustee abandoned the asset of Debtor's cross-action against Creditor, and the parties now acknowledge that the stay no longer applies to the state court litigation. The court is inclined to grant the motion in part, only as to prospective relief because the automatic stay no longer applies to the claim abandoned by the Chapter 7 trustee, as acknowledged by both parties.

The court first observes that the stay does not generally apply to a party defending itself in a prepetition lawsuit brought by a debtor. *In re Merrick*, 175 B.R. 333, 336-337 (9th Cir. BAP 1994). However, a party seeking affirmative relief against a debtor is subject to the automatic stay under 11 U.S.C. 362(a) (1) and (2) as a commencement or continuance of a proceeding against the debtor or enforcement of an order or judgment against the debtor, and only

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

Tuesday, April 21, 2020

Hearing Room 1675

10:30 AM

CONT... Bradley Edward Barnes and Allison Platz Barnes Chapter 7

defensive actions for a party to defend itself against a debtor's action are not subject to the stay. See *In re Muhlig*, 494 B.R. 755, 765-767 (Bankr. S.D. Fla. 2013) (seeking summary judgment postpetition on a debtor's claim as an estate asset was affirmative and not defensive action against estate property, and thus subject to the automatic stay).

Discovery proceedings against a debtor are subject to the automatic stay because it is commencing or continuing a proceeding against the debtor under 11 U.S.C. 362(a), *Scherer v. Carroll*, 150 B.R. 549, 552 (D. Vt. 1993); accord, *Matter of United Imports Corp.*, 200 B.R. 234, 237 (Bankr. D. Neb. 1996). It is arguable that these cases are distinguishable because they did not involve debtor-initiated litigation as indicated by *In re Way*, 229 B.R. 11, 13-14 (9th Cir. BAP 1998) (citing *In re Merrick*, 175 B.R. 333 (9th Cir. BAP 1994)) and *In re Miller*, 262 B.R. 499, 507 and n.11 (9th Cir. BAP 2001)(noting that the stay of litigation does not apply to claims against nondebtor parties or claims initiated by a debtor). On the other hand, a party seeking affirmative relief postpetition against a debtor based on alleged prepetition misconduct is within the literal terms of the stay because it is commencement or continuance of an action to enforce a prepetition claim against the debtor. *In re Merrick*, 173 B.R. at 335 n.2, 338 (creditor awarded costs against debtor in state court action postpetition did not violate the stay because he did not proceed with the postpetition hearing, brought no counterclaim, and took no affirmative act to prosecute his interest postpetition).

In the Ninth Circuit, there is a narrow exception to the applicability of the automatic stay of discovery proceedings against a debtor for civil contempt proceedings, *In re Dingley*, 852 F.3d 1143 (9th Cir. 2017), and sanctions proceedings, *In re Berg*, 230 F.3d 1165, 1166 (9th Cir. 2000), to enforce a discovery order under the government regulatory exemption of 11 U.S.C. 362(b)(4) and effectuate the public policy of courts enforcing their own powers and deterring litigation misconduct. See *United Artists Corp. v. United Artist Studios, LLC*, et al., No. CV-19-828-MWF (MAAx), 2019 WL 3293650 (C.D. Cal. Dec. 18, 2019) (the district court on review of a magistrate judge's discovery order, holding that the government regulatory exception does not apply to the enforcement of a discovery order so that a party can continue its litigation efforts, and "the exception applies only to enforce sanctions **or**

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, April 21, 2020

Hearing Room 1675

10:30 AM

CONT... **Bradley Edward Barnes and Allison Platz Barnes** **Chapter 7**

contempt proceedings to uphold the dignity of the court") (emphasis added).

In *Porter v. Nabors Drilling USA, L.P.*, the Ninth Circuit recognized that the governmental regulatory exception generally applies to "actions by courts to impose sanctions in order to enforce their own rules or police the members of their bar[.]" 854 F.3d at 1062-1064 (citing *Dingley* and *In re Berg*). The Ninth Circuit in *Nabors* distinguished judicial enforcement of an award on appellant's PAGA claim and judicially imposed sanctions, stating, "That a court might ultimately decide the fate of [appellant's] PAGA action does not mean that the court decision is an action to enforce its own power. Although a litigant may initially request the imposition of sanctions, ultimately the sanctions proceedings are conducted by a governmental unit, the court, to advance its own interest in enforcing its authority." 854 F.3d at 1063 (citation omitted).

In *In re Berg*, the Ninth Circuit held that an award of attorneys' fees imposed as a sanction pursuant to Rule 38 of the Federal Rules of Appellate Procedure for prosecuting a frivolous appeal was not subject to the automatic stay because the governmental regulatory exception applied even absent civil contempt proceedings. 230 F.3d at 1167-1168. Accordingly, in *Dingley*, the Ninth Circuit extended its holding in *Berg* to discovery disputes involving civil contempt proceedings.

In *United Artists Corp. v. United Artist Studios, LLC, et al.*, the district court for the Central District of California discussed *Dingley* and determined that because debtor was not subject to a civil contempt proceeding, the governmental regulatory exception should not apply. No. CV-19-828-MWF (MAAx), 2019 WL 3293650 at *7. *United Artists Corp.* is distinguishable, however, from *Berg*, *Dingley*, *Merrick*, and *In re Way*, because in each of those cases, a party requested a sanction and/or fees and costs prepetition.

Here, because creditor continued its pursuit of its prepetition motion requesting an order compelling discovery, sanctioning Debtor, and granting fees and costs in its motion to compel discovery, which is not a contempt proceeding, *Dingley* does not apply. *Berg*, however, is instructive. In *Berg*, when creditor's counsel discovered debtor's bankruptcy petition was pending, "they determined that they needed to obtain relief from the automatic stay

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CONT... **Bradley Edward Barnes and Allison Platz Barnes**

Chapter 7

before proceeding to judgment and liquidating the claim for fees and costs." 230 F.3d at 1167. Thereafter, "the [creditor] contended that the award of sanctions was not subject to the automatic stay . . . but instead fell under the government regulatory power exemption in 11 U.S.C. § 362(b)(4)." *Id.*

Like the circumstances in *Berg*, here, the stay was implicated as soon as Debtor filed his petition, and Creditor proceeded on its motion to compel discovery at its peril. *Cf. In re Merrick*, 173 B.R. at 338 (Jones, J., dissenting) ("at the moment the bankruptcy petition was filed, any further action on a pending motion for pre-petition costs constituted a violation of the stay. See 11 U.S.C. § 362(a)(1)."). Creditor's filing of the motion to compel discovery and request for sanctions and fees was prepetition and did not implicate the automatic stay, but its postpetition acts before the state court did implicate the stay. Unlike the creditor in *Berg* that requested relief from stay pursuant to the governmental regulatory exception, 11 U.S.C. § 362(b)(4), postpetition, before proceeding to judgment and liquidating the sanction request for fees, here, Creditor proceeded to judgment on the motion to compel and liquidated the claim for fees postpetition without any authorization or comfort from this court. Here, Creditor sought affirmative relief on a prepetition claim against the debtor, and that conduct was the continuance of an action under 11 U.S.C. 362(a)(1).

However, the court may consider granting stay relief for cause under 11 U.S.C. 362(d)(1) retroactively to validate the actions taken by the creditor in moving to compel discovery and for an award of sanctions against the debtor and by the state court in granting such relief. However, creditor needs to make a proper showing for retroactive stay relief and has not yet done so. *In re Gasprom, Inc.*, 500 B.R. 598, 607-608 (9th Cir. BAP 2013) (setting forth factors which may be considered in determining retroactive stay relief). The papers do not address the applicable legal standard as set forth in *Gasprom* for the court to make findings to support retroactive relief from stay. There may be grounds for retroactive relief if creditor and the state court did not have notice of debtor's bankruptcy case and automatic stay, and debtor actively opposed the discovery enforcement motion on the merits without advising the state court of the bankruptcy and the stay. Other factors might be considered, including whether the filing of the bankruptcy case was in good

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Chapter 7

faith based on the circumstances of the filing after a fractional interest in the certain real property was transferred to debtor to provide standing in the state court action, and Debtor filed the bankruptcy case immediately after Creditor filed its motion to compel and request for sanctions and fees. However, once the bankruptcy case was filed, the control of debtor's prepetition lawsuit was in the trustee as an estate asset, and debtor's litigation should have been subject to the trustee's supervision and control, which militates against retroactive stay relief. The record is unclear about how to apply the retroactive stay relief factors in *Gasprom*.

Appearances are required on 4/7/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Bradley Edward Barnes

Represented By
Susan I Montgomery

Joint Debtor(s):

Allison Platz Barnes

Represented By
Susan I Montgomery

Movant(s):

WVBAGD, LLC

Represented By

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**CONT... Bradley Edward Barnes and Allison Platz Barnes
Christopher R Nelson**

Chapter 7

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

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Wednesday, April 22, 2020

Hearing Room 1675

9:00 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#1.00 TRIAL RE: Objection to claim number 4 by claimant US Bank National Association as Trustee for Velocity Commercial Capital Loan Trust 2014-1 fr. 1/17/20, 2/28/20, 3/4/20

Docket 115

***** VACATED *** REASON: Trial vacated and set status conference for 4/15/20 at 11:00 a.m. per order entered on 3/20/20-mb**

Tentative Ruling:

Updated tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the chief judge of the United States District Court for the Central District of California issued an Order of the Chief Judge No. 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion must and does vacate the evidentiary hearing for the contested matter of Debtor's objection to Claim No. 4 of U.S. Bank National Association as Trustee for Velocity Commercial Capital Loan Trust 2014-1 in this bankruptcy case scheduled for April 22, 2020 at 9:00 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012 because in person appearances are not permitted in the courthouse on that date. No appearances are required on April 22, 2020 at 9:00 a.m. as the evidentiary hearing on that date is vacated.

The court further on its own motion sets a status conference in this contested matter on April 15, 2020 at 11:00 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012. The purpose of the status conference is to discuss rescheduling the evidentiary hearing on the claim objection. Because the Roybal Federal Building is

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CONT... Raesi Group, Inc

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closed to the public on April 15, 2020 by the aforementioned order of the United States District Court, the parties to this contested matter and their counsel must appear telephonically at the status conference in accordance with the court's telephone appearance procedures posted online on the court's website.

Prior tentative ruling as of 3/9/20. Off calendar. The court vacated the hearing on 3/11/20 after resetting the matter for trial on 4/22/20 at 9:00 a.m. No appearances are required on 3/11/20.

Prior tentative ruling as of 1/16/20. Off calendar. Continued by stipulation and order to 2/28/20 at 10:00 a.m. No appearances are required on 1/17/20.

Prior tentative ruling as of 11/13/19. Off calendar. Evidentiary hearing on 11/15/19 vacated by order entered on 11/13/19, and telephonic status conference is set for 11/26/19 at 1:30 p.m. to reschedule evidentiary hearing if the parties are unable to stipulate to a continued hearing date and time. No appearances are required on 11/15/19.

Revised tentative ruling as of 10/2/19. Off calendar. Continued by stipulation and order to 11/15/19 at 9:00 a.m. No appearances are required on 10/4/19.

Prior tentative ruling as of 7/29/19. No tentative ruling on the merits. Appearances are required on 7/31/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. No tentative ruling on the merits. Appearances are required on 6/26/19.

Prior tentative ruling. Treat the motion objecting to claim as a contested matter under FRBP 9014 and set a schedule of pretrial proceedings, including discovery, since there are disputed issues of material fact. Parties should confer regarding an appropriate schedule if they can. Appearances are required on 5/8/19, but counsel may appear by telephone.

Creditor may be entitled to its claim for attorneys' fees under 11 U.S.C. 506(b) pursuant to contract based on its loan agreement secured by deed of trust, which were upheld as valid in the state court litigation. The four elements for

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CONT...

Raesi Group, Inc

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a claim under 11 U.S.C. 506(b) are: (1) its claim is an allowed secured claim; (2) it is an oversecured creditor; (3) the fees it asserts are reasonable; and (4) the fees it asserts are provided for under an agreement under which such claim arose, or the fees are provided for under a state statute under which the creditor's claim arose. In re Astle, 364 B.R. 735, 741 (Bankr. D. Idaho 2007). The claim is an allowed secured claim based on the state court judgment, though the judgment is on appeal. The creditor is an oversecured creditor, which is not in dispute. The reasonableness of the fees it asserts is in material dispute. Creditor has only submitted redacted versions of its counsel's fee statements, which do not provide sufficient information for the court to review for reasonableness. Creditor must file unredacted versions, or submit unredacted versions in camera with a privilege log if creditor claims that the reacted matter is privileged. Debtor as the objecting party must carry its burden of explaining what in the fee statements are unreasonable or at least what would be reasonable under the circumstances. In re Koncicky, 2007 WL 7540997 (9th Cir. BAP 2007)(unpublished memorandum opinion) (citation omitted). Debtor has the responsibility to challenge the information and provide evidence controverting that produced by creditor. Id. Debtor has not met this burden. The fees that creditor asserts are provided by the loan agreement between it and its borrower providing for reasonable attorneys' fees if it incurs or pays to maintain, protect or enforce its rights under the loan agreement as secured by the deed of trust. Exhibits A and C to Favela Declaration. Case law in California allows such fees to be added to the balance under the promissory note secured by trust deed. Chacker v. JPMorgan Chase Bank, N.A., 27 Cal.App.5th 351, 356-358 (2018). However, there is no separate award of attorneys' fees authorized by statute, such as California Civil Code 1717 because debtor is not a signatory to the contract in the loan agreement and creditor has not otherwise shown that it would have been liable for the fees of the opposing party if the opposing party had prevailed. Asphalt Professionals, Inc. v. Davis (In re Davis), 595 B.R. 818, 837 (Bankr. C.D. Cal. 2019), citing, Dell Merk, Inc. v. Franzia, 132 Cal.App.4th 443, 441 (2005). Thus, creditor will need to submit fully unredacted copies of its fee statements to the court, and debtor will need to explain what in the fee statements are unreasonable and/or produce evidence showing that the fees are unreasonable.

Party Information

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CONT... Raesi Group, Inc

Chapter 11

Debtor(s):

Raesi Group, Inc

Represented By
Christopher P Walker

Movant(s):

Raesi Group, Inc

Represented By
Christopher P Walker

**United States Bankruptcy Court
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Thursday, April 23, 2020

Hearing Room 1675

9:00 AM

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

#1.00 TRIAL 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. 11/12/19, 12/10/19, 12/17/19

Docket 1

***** VACATED *** REASON: Trial vacated and status conference set for
4/28/20 at 2:00 pm per order entered on 3/17/20-mb.**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 3/17/20. Off calendar. By order entered on 3/17/20, trial vacated and a status conference is set for 4/28/20 at 2:00 p.m. No appearances are required on 4/23/20 and 4/24/20.

Prior tentative ruling as of 12/16/19. No tentative ruling on the merits. Appearances are required on 12/17/19, 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 12/9/19. The court agrees with plaintiff that alleged facts #25-32 and alleged issue of law #72 in defendants' proposed pretrial stipulation are precluded by the ruling on the motion for partial summary adjudication and that the boxed facts in plaintiff's revised draft pretrial stipulation were established by the ruling on the motion for partial summary adjudication. No tentative ruling on alleged issues of law #70-71 in defendants' proposed pretrial stipulation, which appear to be included in plaintiff's revised draft pretrial stipulation as alleged disputed facts #34-35. While the parties listed their exhibits, they did not list their objections to each other's exhibits as required by Local Bankruptcy Rule 7016-1. Does this mean that there are no objections to any of the exhibits being offered? Appearances are required on 12/9/19 to discuss the proposed pretrial

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CONT... **People Who Care Youth Center, Inc.** **Chapter 11**
stipulations and scheduling of trial, 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
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Friday, April 24, 2020

Hearing Room 1675

9:00 AM

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

#1.00 CONT'D TRIAL 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. 12/10/19, 12/17/19, 4/23/20

Docket 1

***** VACATED *** REASON: Trial vacated and status conference set for 4/28/20 at 2:00 pm per order entered on 3/17/20-mb.**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 3/17/20. Off calendar. By order entered on 3/17/20, trial vacated and a status conference is set for 4/28/20 at 2:00 p.m. No appearances are required on 4/23/20 and 4/24/20.

Prior tentative ruling as of 12/16/19. No tentative ruling on the merits. Appearances are required on 12/17/19, 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 12/9/19. The court agrees with plaintiff that alleged facts #25-32 and alleged issue of law #72 in defendants' proposed pretrial stipulation are precluded by the ruling on the motion for partial summary adjudication and that the boxed facts in plaintiff's revised draft pretrial stipulation were established by the ruling on the motion for partial summary adjudication. No tentative ruling on alleged issues of law #70-71 in defendants' proposed pretrial stipulation, which appear to be included in plaintiff's revised draft pretrial stipulation as alleged disputed facts #34-35. While the parties listed their exhibits, they did not list their objections to each other's exhibits as required by Local Bankruptcy Rule 7016-1. Does this mean that there are no objections to any of the exhibits being offered? Appearances are required on 12/9/19 to discuss the proposed pretrial

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9:00 AM

CONT... **People Who Care Youth Center, Inc.** **Chapter 11**
stipulations and scheduling of trial, 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
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Tuesday, April 28, 2020

Hearing Room 1675

10:30 AM

2:19-15356 Ara Ohannes Keyllian

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(JPMorgan Chase Bank, N.A.VS Debtor)

Docket 72

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 of the hearing date. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

No appearances are required on 4/28/20.

Party Information

Debtor(s):

Ara Ohannes Keyllian

Represented By
Eileen Keusseyan

Movant(s):

JPMORGAN CHASE BANK, N.A.

Represented By
Gilbert R Yabes
Jenelle C Arnold

**United States Bankruptcy Court
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10:30 AM

CONT... Ara Ohannes Keyllian

Chapter 7

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
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Tuesday, April 28, 2020

Hearing Room 1675

10:30 AM

2:20-10131 Alex S Min

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(JPMorgan Chase Bank, N.A. VS Debtor)

Docket 13

***** VACATED *** REASON: Cont'd from 4/28/20 to 6/2/20 at 10:30 a.m.
per stip & order entered on 4/27/20-mb.**

Tentative Ruling:

Updated and revised tentative ruling as of 4/27/20. Off calendar. Continued by stipulation between movant and trustee and order thereon to 6/2/20 at 10:30 a.m.

No appearances are required on 4/28/20.

Party Information

Debtor(s):

Alex S Min

Represented By
Young K Chang

Trustee(s):

John P Pringle (TR)

Pro Se

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Tuesday, April 28, 2020

Hearing Room 1675

10:30 AM

2:20-12657 Julio Andrade

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(Carvana, LLC VS Debtor)

Docket 9

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 of the hearing date. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

No appearances are required on 4/28/20.

Party Information

Debtor(s):

Julio Andrade

Represented By
Raymond Perez

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court
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Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01474 Avery v. Voong

#4.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential, fraudulent, unauthorized postpetition transfers; and disallowance of claim fr. 1/7/20, 2/18/20, 3/24/20

Docket 1

***** VACATED *** REASON: Cont'd from 4/28/20 to 6/9/20 at 1:30 p.m.
per stip & order entered on 4/13/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 4/24/20. Off calendar. Continued by stipulation and order to 6/9/20 at 1:30 p.m. No appearances are required on 4/28/20.

Updated tentative ruling as of 3/18/20. Off calendar. Continued by stipulation and order to 4/28/20 at 1:30 p.m. No appearances are required on 2/18/20.

Prior tentative ruling. Continued by stipulation and order to 3/24/20 at 1:30 p.m. No appearances are required on 2/18/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Kevin Voong

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald

**United States Bankruptcy Court
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CONT... Kody Branch of California, Inc.

Chapter 7

Richard A Marshack
D Edward Hays
David Wood

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1:30 PM

2:18-11475 Catherine Trinh

Chapter 11

Adv#: 2:18-01209 Voong v. Trinh

#5.00 Cont'd status conference re: Adversary complaint for declaratory relief
fr. 12/17/19, 2/19/20, 3/24/20

Docket 1

***** VACATED *** REASON: Cont'd from 4/28/20 to 6/30/20 at 1:30 p.m.
per stip & order entered on 4/16/20**

Tentative Ruling:

Updated tentative ruling as of 4/24/20. Off calendar. Continued by stipulation and order to 6/30/20 at 1:30 p.m. No appearances are required on 4/28/20.

Prior tentative ruling as of 3/17/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues the status conference in this adversary proceeding scheduled for March 24, 2020 at 1:30 p.m. The court on its own motion continues the status conference to April 28, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 1:30 p.m. as the status conference is continued to April 28, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Revised tentative ruling as of 6/11/19. Off calendar. Continued by stipulation and order to 8/20/19 at 1:30 p.m. No appearances are required on 6/12/19.

Prior tentative ruling as of 4/8/18. No tentative ruling on the merits. Appearances are required on 4/9/18, but counsel may appear by telephone.

Prior 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

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CONT... Catherine Trinh
11/6/18.

Chapter 11

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.

Prior 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 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
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Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01258 Goodrich v. Yeftadonay

- #6.00** Cont'd status conference re: Complaint for: (1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; (2) Recovery of property pursuant to 11 U.S.C. § 550; (3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; (4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and (5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 10/8/19, 1/28/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/24/20. No tentative ruling on the merits. Appearances are required on 4/28/20 to discuss status of plaintiff's motion for default judgment and setting of further proceedings, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 1/27/20. No tentative ruling on the merits. Appearances are required on 1/28/20 to address the status of plaintiff's motion for default judgment, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report, indicating that defendant has not responded to the complaint. Plaintiff should indicate when he intends to file a motion for default judgment since

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CONT... SOCALDEAL INC

Chapter 7

this is a default situation. Set a discovery cutoff date of 12/31/19, and set a post-discovery status conference for 1/28/20 at 1:30 p.m. with a status report due to be filed on 1/21/20. Appearances are required on 10/8/19, but counsel may appear by telephone.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Jan Yeftadonay

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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

Tuesday, April 28, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01259 Goodrich v. Kabbage, Inc.

- #7.00** Cont'd status conference re: Complaint for: (1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; (2) Recovery of property pursuant to 11 U.S.C. § 550; (3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; (4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and (5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 10/8/19, 1/28/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/24/20. No tentative ruling on the merits. Appearances are required on 4/28/20 to discuss status of settlement efforts and setting of further proceedings, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 1/27/20. The court has reviewed plaintiff's unilateral status report, stating that the matter is being settled and documented. Appearances are required on 1/28/20 to discuss when the settlement will be finally documented and a dispositive stipulation and order may be submitted, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report, indicating that defendant has not responded to the complaint. Plaintiff should indicate when he intends to file a motion for default judgment since this is a

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CONT... SOCALDEAL INC

Chapter 7

default situation. Set a discovery cutoff date of 12/31/19, and set a post-discovery status conference for 1/28/20 at 1:30 p.m. with a status report due to be filed on 1/21/20. Appearances are required on 10/8/19, but counsel may appear by telephone.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Kabbage, Inc.

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

**United States Bankruptcy Court
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Tuesday, April 28, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01260 Goodrich v. Marganian

- #8.00** Cont'd status conference re: Complaint for: (1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; (2) Recovery of property pursuant to 11 U.S.C. § 550; (3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; (4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and (5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 10/8/19, 1/28/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/24/20. No tentative ruling on the merits. Appearances are required on 4/28/20 to discuss status of plaintiff's motion for default judgment and setting of further proceedings, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 1/27/20. No tentative ruling on the merits. Appearances are required on 1/28/20 to address the status of plaintiff's motion for default judgment, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report, indicating that defendant has not responded to the complaint. Plaintiff should indicate when he intends to file a motion for default judgment since this is a default situation. Set a discovery cutoff date of 12/31/19, and set a post-

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CONT... SOCALDEAL INC

Chapter 7

discovery status conference for 1/28/20 at 1:30 p.m. with a status report due to be filed on 1/21/20. Appearances are required on 10/8/19, but counsel may appear by telephone.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Shahram Marganian

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

**United States Bankruptcy Court
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Tuesday, April 28, 2020

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1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01261 Goodrich v. Paypal, Inc.

- #9.00** Cont'd status conference re: Complaint for: (1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; (2) Recovery of property pursuant to 11 U.S.C. § 550; (3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; (4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and (5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 10/8/19, 1/28/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/24/20. No tentative ruling on the merits. Appearances are required on 4/28/20 to discuss status of settlement efforts and setting of further proceedings, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 1/27/20. No tentative ruling on the merits. Appearances are required on 1/28/20, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report, indicating that defendant has not responded to the complaint. Plaintiff should indicate when he intends to file a motion for default judgment since this is a default situation. Set a discovery cutoff date of 12/31/19, and set a post-discovery status conference for 1/28/20 at 1:30 p.m. with a status report due to be filed on 1/21/20. Appearances are required on 10/8/19, but counsel

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CONT... SOCALDEAL INC
may appear by telephone.

Chapter 7

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Paypal, Inc.

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, April 28, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01262 Goodrich v. Pacific City Bank

- #10.00** Cont'd status conference re: Complaint for: (1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; (2) Recovery of property pursuant to 11 U.S.C. § 550; (3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; (4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and (5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 10/8/19, 1/28/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/24/20. No tentative ruling on the merits. Appearances are required on 4/28/20 to discuss status of settlement efforts and setting of further proceedings, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 1/27/20. The court has reviewed plaintiff's unilateral status report, stating that the matter is being settled and documented. Appearances are required on 1/28/20 to discuss when the settlement will be finally documented and a dispositive stipulation and order may be submitted, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report, indicating that defendant has not responded to the complaint. Plaintiff should indicate when he intends to file a motion for default judgment since

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CONT... SOCALDEAL INC

Chapter 7

this is a default situation. Set a discovery cutoff date of 12/31/19, and set a post-discovery status conference for 1/28/20 at 1:30 p.m. with a status report due to be filed on 1/21/20. Appearances are required on 10/8/19, but counsel may appear by telephone.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Pacific City Bank

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01264 Goodrich v. U.S. Games Distribution, Inc.

- #11.00** Cont'd status conference re: Complaint for: (1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; (2) Recovery of property pursuant to 11 U.S.C. § 550; (3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; (4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and (5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 10/8/19, 1/28/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/24/20. No tentative ruling on the merits. Appearances are required on 4/28/20 to discuss status of settlement efforts and setting of further proceedings, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 1/27/20. The court has reviewed plaintiff's unilateral status report, stating that the matter is being settled and documented. Appearances are required on 1/28/20 to discuss when the settlement will be finally documented and a dispositive stipulation and order may be submitted, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report, indicating that defendant has not responded to the complaint. Plaintiff should indicate when he intends to file a motion for default judgment since

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CONT... SOCALDEAL INC

Chapter 7

this is a default situation. Set a discovery cutoff date of 12/31/19, and set a post-discovery status conference for 1/28/20 at 1:30 p.m. with a status report due to be filed on 1/21/20. Appearances are required on 10/8/19, but counsel may appear by telephone.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

U.S. Games Distribution, Inc.

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

**United States Bankruptcy Court
Central District of California
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Tuesday, April 28, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01266 Goodrich v. YAEL, LLC

- #12.00** Cont'd status conference re: Complaint for: (1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; (2) Recovery of property pursuant to 11 U.S.C. § 550; (3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; (4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and (5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 10/8/19, 1/28/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/24/20. No tentative ruling on the merits. Appearances are required on 4/28/20 to discuss status of plaintiff's motion for default judgment and setting of further proceedings, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 1/27/20. No tentative ruling on the merits. Appearances are required on 1/28/20 to address the status of plaintiff's motion for default judgment, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report, indicating that defendant has not responded to the complaint. Plaintiff should indicate when he intends to file a motion for default judgment since this is a default situation. Set a discovery cutoff date of 12/31/19, and set a post-

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CONT... **SOCALDEAL INC**

Chapter 7

discovery status conference for 1/28/20 at 1:30 p.m. with a status report due to be filed on 1/21/20. Appearances are required on 10/8/19, but counsel may appear by telephone.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

YAEL, LLC

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

**United States Bankruptcy Court
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Hearing Room 1675

1:30 PM

2:18-17189 Seven-Bros Enterprises, Inc.

Chapter 7

#13.00 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. 10/1/19, 12/17/19, 2/18/20

Docket 36

***** VACATED *** REASON: Cont'd from 4/28/20 to 6/30/20 at 1:30 p.m.
per stip & order entered on 4/21/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 4/24/20. Off calendar. Continued by stipulation and order to 6/30/20 at 1:30 p.m. No appearances are required on 4/28/20.

Prior tentative ruling as of 2/14/20. Off calendar. Continued by stipulation and order to 4/28/20 at 1:30 p.m. No appearances are required on 2/18/20.

Prior tentative ruling as of 12/16/19. Off calendar. Continued by stipulation and order to 2/18/20 at 1:30 p.m. No appearances are required on 12/17/19.

Revised tentative ruling as of 10/1/19. Off calendar. Continued by stipulation and order to 12/17/19 at 1:30 p.m. No appearances are required on 10/1/19.

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
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1:30 PM

2:18-17189 Seven-Bros Enterprises, Inc.

Chapter 7

#14.00 Cont'd hearing re: Motion of Salvato Law Offices to withdraw as counsel for debtor fr. 10/1/19, 12/17/19, 2/18/20

Docket 82

***** VACATED *** REASON: Cont'd from 4/28/20 to 6/30/20 at 1:30 p.m.
per stip & order entered on 4/21/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 4/24/20. Off calendar. Continued by stipulation and order to 6/30/20 at 1:30 p.m. No appearances are required on 4/28/20.

Prior tentative ruling as of 2/14/20. Off calendar. Continued by stipulation and order to 4/28/20 at 1:30 p.m. No appearances are required on 2/18/20.

Updated tentative ruling as of 2/14/20. Off calendar. Continued by stipulation and order to 4/28/20 at 1:30 p.m. No appearances are required on 2/18/20.

Prior tentative ruling as of 12/16/19. Off calendar. Continued by stipulation and order to 2/18/20 at 1:30 p.m. No appearances are required on 12/17/19.

Revised tentative ruling as of 10/1/19. Off calendar. Continued by stipulation and order to 12/17/19 at 1:30 p.m. No appearances are required on 10/1/19.

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
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Tuesday, April 28, 2020

Hearing Room 1675

1:30 PM

2:18-21855 Michael Richard Shapiro
Adv#: 2:19-01009 Vechery v. Shapiro

Chapter 7

#15.00 Cont'd status conference re: Complaint to determine non-dischargeability of debt under bankruptcy code section 523 fr. 5/14/19, 7/30/19, 10/8/19

Docket 1

Tentative Ruling:

Updated and revised tentative ruling as of 4/27/20. The court has reviewed plaintiff's unilateral status report and defendant's joinder and grants joint request to continue scheduling dates as follows: (1) discovery cutoff date extended from 3/31/20 to 6/30/20; (2) status report filing due date extended from 4/21/20 to 7/28/20; (3) status conference continued from 4/28/20 at 1:30 p.m. to 8/4/20 at 1:30 p.m.; and (4) mediation completion deadline extended from 4/28/20 to 8/4/20. Plaintiff to lodge a proposed updated scheduling order within 7 days.

Appearances are optional on 4/28/20, but counsel and self-represented parties may and should appear by telephone, if appearing. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Revised tentative ruling as of 10/7/19. The court has reviewed modified joint status report. Set a discovery cutoff date of 3/31/20, and a post-discovery status conference on 4/28/20 at 1:30 p.m. with a joint status report due on 4/21/20. Defendant should address why the matter is not amenable to

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1:30 PM

CONT... Michael Richard Shapiro Chapter 7

mediation. Appearances are required on 10/8/19, but counsel may appear by telephone.

Prior tentative ruling as of 7/29/19. No tentative ruling in light of the pending motion to dismiss the second amended complaint. The court will hear argument on the motion to dismiss at the same time as the status conference on the 1:30 p.m. calendar. Appearances are required on 7/30/19 at 1:30 p.m., but counsel may appear by telephone.

Prior tentative ruling as of 5/13/19. Appearances are required on 5/14/19, but counsel may appear by telephone.

Party Information

Debtor(s):

Michael Richard Shapiro

Represented By
Charles Shamash
Joseph E. Caceres

Defendant(s):

Michael Richard Shapiro

Pro Se

Plaintiff(s):

Harvey Vechery

Represented By
Tom Lallas
Mark D Hurwitz

Trustee(s):

Timothy Yoo (TR)

Pro Se

**United States Bankruptcy Court
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Hearing Room 1675

1:30 PM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

Adv#: 2:18-01375 Vance v. Zacky & Sons Poultry, LLC

#16.00 Cont'd status conference re: Class action adversary proceeding complaint [violation of Worker Adjustment and Retraining Notification Act, 29 U.S.C. §§ 2101-2109 and California Labor Code §§ 1400 et seq.]
fr. 6/25/19, 7/30/19, 8/27/19

Docket 1

***** VACATED *** REASON: Cont'd from 4/28/20 to 8/4/20 at 1:30 p.m.
per stip & order entered on 3/12/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 4/24/20. Off calendar. Continued by stipulation and order to 8/4/20 at 1:30 p.m. No appearances are required on 4/28/20.

Prior tentative ruling as of 8/26/19. No tentative ruling on the merits. Appearances are required on 4/30/19, 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. The court has reviewed the joint status report. No tentative ruling on the merits. At the status conference, the court will hear from the parties on defendant's request for a 90 day continuance and a stay of proceedings. Appearances are required on 7/30/19, 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

Defendant(s):

Zacky & Sons Poultry, LLC

Pro Se

**United States Bankruptcy Court
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CONT... Zacky & Sons Poultry, LLC

Chapter 11

Plaintiff(s):

Karen Vance

Represented By
Gail L Chung
Jack A Raisner
Rene S Roupinian
Robert N Fisher

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Hearing Room 1675

1:30 PM

2:19-10596 Robert David Katz

Chapter 11

Adv#: 2:19-01216 Katz et al v. American Express Company, a New York Corporation e

#17.00 Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers; (2) Recovery of Preferential Transfers; (3) Avoidance of Post-Petition Transfers; (4) Recovery of Post-Petition Transfers; (5) Preservation of Avoided Transfers; and (6) Disallowance of Claims
fr. 10/15/19, 12/17/19, 2/18/20

Docket 1

***** VACATED *** REASON: Dismissed by stip & order entered on 2/26/20-mb.**

Tentative Ruling:

Off calendar. Adversary proceeding voluntarily dismissed by stipulation and order entered on 2/26/20. No appearances are necessary.

Party Information

Debtor(s):

Robert David Katz

Represented By
Victor A Sahn
Steven Werth
Cathy Ta

Defendant(s):

American Express Company, a New	Pro Se
American Express	Pro Se
American Express Travel Related	Pro Se
American Express National Bank, a	Pro Se

Joint Debtor(s):

Roslyn Soudry Katz

Represented By
Victor A Sahn
Steven Werth
Cathy Ta

**United States Bankruptcy Court
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CONT... Robert David Katz

Chapter 11

Plaintiff(s):

Robert David Katz

Represented By
Victor A Sahn

Roslyn Soudry Katz

Represented By
Victor A Sahn

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2:19-10596 Robert David Katz

Chapter 11

Adv#: 2:19-01217 Katz et al v. Bank of America Corporation, a Delaware corporatio

#18.00 Cont'd status conference re : Complaint for: (1) Avoidance of Preferential Transfers; (2) Recovery of Preferential Transfers; (3) Preservation of Avoided Transfers; and (4) Disallowance of Claims
fr. 10/16/19, 12/17/19, 2/18/20

Docket 1

Tentative Ruling:

Revised tentative ruling as of 4/27/20. Off calendar. The court on its own motion continues the status conference to 8/4/20 at 1:30 p.m. in light of plaintiffs' statement filed on 4/22/20, requesting a 60 day continuance of the status conference on grounds that the matter is being settled and the parties need additional time to document the settlement. No appearances are required on 4/28/20. Counsel for plaintiffs to give notice to counsel for defendant.

Party Information

Debtor(s):

Robert David Katz

Represented By
Victor A Sahn
Steven Werth
Cathy Ta

Defendant(s):

Bank of America Corporation, a

Pro Se

BANK OF AMERICA

Pro Se

Bank of America, N.A., a National

Pro Se

Joint Debtor(s):

Roslyn Soudry Katz

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
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Courtroom 1675 Calendar**

Tuesday, April 28, 2020

Hearing Room 1675

1:30 PM

CONT... Robert David Katz

Chapter 11

Victor A Sahn
Steven Werth
Cathy Ta

Plaintiff(s):

Robert David Katz

Represented By
Victor A Sahn

Roslyn Soudry Katz

Represented By
Victor A Sahn

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, April 28, 2020

Hearing Room 1675

1:30 PM

2:19-23349 Lianna Simonyan

Chapter 7

Adv#: 2:20-01032 Strategic Funding Source, Inc., a New York corpora v. Simonyan

#19.00 Status conference re: Complaint to determine nondischargeability of debt
[11 U.S.C. §§ 523(a)(2) and (a)(6)]

Docket 1

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 4/28/20 to discuss the status of the adversary proceeding, including when plaintiff will file a motion for default judgment and setting of further proceedings, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Lianna Simonyan

Represented By
Aidan Butler

Defendant(s):

Lianna Simonyan

Pro Se

Plaintiff(s):

Strategic Funding Source, Inc., a

Represented By
Brian T Harvey

**United States Bankruptcy Court
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CONT... Lianna Simonyan

Chapter 7

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, April 28, 2020

Hearing Room 1675

2:00 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

#20.00 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
fr. 12/10/19, 12/17/19, 4/23/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/24/20. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the chief judge of the United States District Court for the Central District of California issued an Order of the Chief Judge No. 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, which closure has been extended through June 1, 2020 by announcement on April 13, 2020, and accordingly, the court cannot conduct an in person trial in the courtroom until at least June 1, 2020.

Moreover, the County of Los Angeles and City of Los Angeles have issued public health orders prohibiting public and private gatherings in their jurisdictions until at least May 15, 2020, which are likely to be extended, which orders may apply to the trial. The court scheduled the status conference on 4/28/20 to discuss with the parties how a trial in the matter may be conducted and when possibly it can be scheduled. Given the current surge of coronavirus cases in the court and in the state and the need for appropriate social distancing, it would probably be prudent not to schedule so soon. In this court's view, a trial will not be scheduled earlier than 6/1/20. A court committee is being appointed to consider the conduct of video evidentiary hearings, but whether this is technically feasible and legally proper has not

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CONT... **People Who Care Youth Center, Inc.**
yet determined for this court yet.

Chapter 11

Appearances are required on 4/28/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 12/16/19. No tentative ruling on the merits. Appearances are required on 12/17/19, 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 12/9/19. The court agrees with plaintiff that alleged facts #25-32 and alleged issue of law #72 in defendants' proposed pretrial stipulation are precluded by the ruling on the motion for partial summary adjudication and that the boxed facts in plaintiff's revised draft pretrial stipulation were established by the ruling on the motion for partial summary adjudication. No tentative ruling on alleged issues of law #70-71 in defendants' proposed pretrial stipulation, which appear to be included in plaintiff's revised draft pretrial stipulation as alleged disputed facts #34-35. While the parties listed their exhibits, they did not list their objections to each other's exhibits as required by Local Bankruptcy Rule 7016-1. Does this mean that there are no objections to any of the exhibits being offered? Appearances are required on 12/9/19 to discuss the proposed pretrial stipulations and scheduling of trial, 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

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CONT... People Who Care Youth Center, Inc.

Chapter 11

Debtor(s):

People Who Care Youth Center, Inc.

Represented By
John-Patrick M Fritz

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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Central District of California
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Tuesday, April 28, 2020

Hearing Room 1675

2:00 PM

2:18-17205 Avi Cohen

Chapter 7

Adv#: 2:18-01296 Swift Financial, LLC fka Swift Financial Corporati v. Cohen

#21.00 Cont'd pretrial 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) fr. 9/17/19, 1/28/20, 3/16/20

Docket 1

***** VACATED *** REASON: Cont'd from 4/28/20 to 6/23/20 at 2:00 p.m.
per stip & order entered on 4/21/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 4/24/20. Off calendar. Continued by stipulation and order to 6/23/20 at 2:00 p.m. No appearances are required on 4/28/20.

Prior tentative ruling as of 3/18/20. Off calendar. Continued by stipulation and order to 4/28/20 at 2:00 p.m. No appearances are required on 3/24/20.

Prior tentative ruling as of 9/16/19. The court has reviewed the joint status report. Set a pretrial conference for 1/28/20 at 2:00 p.m. and a deadline of 1/21/20 for filing a joint pretrial stipulation. Appearances are required on 9/17/19.

Prior tentative ruling as of 6/10/19. Off calendar. The court has reviewed plaintiff's interim status report stating that the alternate mediator would be able to complete a mediation in mid-June and requested a continuance of 30 days. The court on its own motion continues the status conference to 6/25/19 at 1:30 p.m. No appearances are required on 6/11/19. Plaintiff to give notice of continuance to defendant.

Prior 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

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CONT...

Avi Cohen

Chapter 7

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
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Tuesday, April 28, 2020

Hearing Room 1675

2:30 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.

#22.00 Hearing re: Application of Sam S. Leslie, plan agent, for issuance of order approving the issuance of writ of execution and appointment of plaintiff as substitute custodian for U.S. Marshal in furtherance of execution of writ and notice of levy; and for order approving sale of artworks free and clear of any claim of lien or interest

Docket 713

Tentative Ruling:

Updated and revised tentative ruling as of 4/27/20 at 5:45 p.m. Off calendar. The court on its own motion continues the hearing on the Plan Agent's application for issuance of writ of execution and appointment as substitute custodian for U.S. Marshal in furtherance of writ and notice of levy and for order approving sale of artworks free and clear of any claim of lien or interest from April 28, 2020 at 2:30 p.m. to May 6, 2020 at 1:30 p.m., which is the date and time of the next status conference in this adversary proceeding. The purpose of the continuance is to provide time for the Plan Agent to file and serve a written reply to the opposition of Defendants 400 South La Brea, et al., to the application and to address the tentative ruling on the matter posted by the court on April 24, 2020 and for the court to review and research the points and authorities asserted in the opposition. Accordingly, the hearing on the Plan Agent's application for issuance of writ of execution and appointment as substitute custodian for U.S. Marshall in furtherance of writ and notice of levy and for order approving sale of artworks free and clear of any claim of lien or interest is hereby continued from April 28, 2020 at 2:30 p.m. to May 6, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012, and the Plan Agent's reply must be filed and served no later than Friday May 1, 2020. No appearances are required on 4/28/20. A written order will be issued adopting these rulings on April 28, 2020, but was not issued earlier to technical problems with the court's order processing system.

Prior tentative ruling as of 4/24/20. Grant motion of plaintiff for issuance of order approving issuance of writ of execution and appointment of plaintiff as

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

substitute custodian for U.S. Marshal in furtherance of execution of writ and notice of levy for the reasons stated in the moving papers and for lack of timely written opposition.

Deny motion in part for order approving sale of artworks free and clear of any claim of lien or interest for lack of legal authority. Plaintiff will be relying upon postjudgment collection remedies under California law pursuant to FRBP 7069 and FRCP 69, and plaintiff has not shown that California law authorizes the court to declare that the personal property to be sold at execution sales may be sold free and clear of liens and interests. Pursuant to California Code of Civil Procedure 701.630, any liens subordinate to the lien under which the property is sold and any state tax lien on the property are extinguished. An execution levy reaches only the judgment debtor's interest in the property—i.e., a third party's superior lien or interest is not affected by an execution sale. In other words, a purchaser at an execution sale acquires all right, title and interest of the judgment debtor subject to superior liens. California Code of Civil Procedure 701.040; see also, Ahart, Rutter Group California Practice Guide: Enforcing Judgments and Debts, paragraphs 6:713 and 6:714 (online edition, June 2019 update), citing Comments to California Code of Civil Procedure 700.060, 701.040 and 720.150 and Marriage of Finnell, 182 Cal.App.3d 52, 56 (1986).

Appearances are required on 4/28/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

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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
Alan I Nahmias

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
Ronald Rus
Fahim Farivar
Brian L Davidoff
Keith Patrick Banner

Jennifer Kellen

Represented By
J. Bennett Friedman

Michael D. Smith

Represented By
Brian L Davidoff

Kamran Gharibian

Represented By
Brian L Davidoff

Daryoush Dayan

Represented By
Brian L Davidoff

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

Cathay Bank, a California

Represented By
Ekwan E Rhow
Elliot C Harvey Schatmeier

Jennifer Kellen

Represented By
Michael D Sobkowiak

Plaintiff(s):

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
Steven Thomas
Stephen Sorensen

THE OFFICIAL COMMITTEE OF

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

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2:15-15952 Fred Matthew Adelman

Chapter 7

#23.00 Cont'd hearing re: Trustee's final report and account;
Application for fees and expenses
[Wesley H. Avery, Chapter 7 Trustee]
fr. 3/24/20

Docket 1358

Tentative Ruling:

Updated tentative ruling as of 4/24/20. Because the court anticipates that this will be a lengthy hearing in the Adelman case on the trustee's final report and fee application and the fee applications of the estate professionals, given the voluminous papers and the remaining opposition of the Arrache creditors, the court will call the various Adelman case matters at 3:00 p.m., not at 2:30 p.m., as other matters on the 2:30 p.m. calendar may also require substantial hearing time, but probably not as much as these matters. Counsel should call in at 3:00 p.m. for the Adelman case matters.

Approve the final report and fee application of the Chapter 7 trustee for the reasons stated in the final report, except no tentative ruling on the merits with respect to the treatment in the final report of the fee applications of the Chapter 11 professionals then employed at the request of the debtor then in possession.

Appearances are required on 4/28/20, but trustee, counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their

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CONT... Fred Matthew Adelman

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telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues all hearings on the Trustee's Final Report, Docket No. 1358, and Applications for Fees and Expenses, Docket Nos. 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, in this bankruptcy case scheduled for March 24, 2020 at 2:30 p.m. The court on its own motion continues these hearings to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearings are continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Fred Matthew Adelman

Represented By
Gary E Devlin
Dare Law

Trustee(s):

Wesley H Avery (TR)

Represented By
Chad V Haes
D Edward Hays
Kristine A Thagard

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2:15-15952 Fred Matthew Adelman

Chapter 7

#24.00 Cont'd hearing re: Application for fees and expenses
[Klein & Wilson, Prior Chapter Attorney for Trustee/DIP]
fr. 3/24/20

Docket 1338

Tentative Ruling:

Updated supplemental tentative ruling as of 4/28/20 at 1:00 p.m.

The court has reviewed the fee applications of the Chapter 7 and 11 estate professionals, including final and interim applications, pending before the court for approval on a final basis, and the joint stipulation between Chapter 11 administrative professional claimants, the United States of America (Internal Revenue Service), California Franchise Tax Board (apparently agreeing in principle subject to final agency authorization as provided in paragraphs 4 and 9 of the stipulation) and certain general unsecured creditors (i.e., Navigators Specialty Insurance Company and Ronald and Nancy Arrache, having the largest single general unsecured claims in this case), filed on April 27, 2020. The stipulation resolves the disputes that these parties may have had regarding the fee applications of the Chapter 11 administrative professional claimants.

Subject to one modification discussed below, the court determines that the joint stipulation should be approved as it is fair and reasonable in resolving these disputes under the circumstances of this case and as well addresses the court's concerns regarding these fee applications pursuant to its duty to independently review the fee applications under the reasonableness standards of 11 U.S.C. § 330. In re Busy Beaver Building Centers, Inc., 19 F.3d 833, 840-845 (3rd Cir. 1994)(observing that it is generally held that bankruptcy courts have an independent duty to review fee applications even absent objections, stating: "[d]isagreeable as the chore [of reviewing fee applications] may be, the bankruptcy court must protect the estate, lest

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CONT...

Fred Matthew Adelman

Chapter 7

overreaching attorneys or other professionals drain it of wealth which by right should inure to the benefit of unsecured creditors") (citation omitted); see also, *In re Auto Parts Club, Inc.*, 211 B.R. 29, 33 (9th Cir. BAP 1997)(citing *Busy Beavers* with approval that "[t]he bankruptcy court has a duty to review fee applications notwithstanding the absence of objections by the trustee, debtor, or creditors"). Having reviewed the fee applications and the other papers and pleadings in this case, including the prior objections of the United States Trustee, the Chapter 7 Trustee, Navigators Specialty Insurance Company, the Arraches and other parties, and noting that the court in approving fee applications of certain professionals on an interim basis and did not resolve objections to these fee applications on a final basis in its December 12, 2017 order after the hearing on November 28, 2017 (based on colloquy between the court and counsel for Navigators, Mr. Friedman), the court had concerns about some of the fees requested to be approved on a final basis whether the fees were sufficiently demonstrated to be for services that were reasonable, necessary and beneficial to the estate pursuant to 11 U.S.C. §330. *In re Mednet*, 251 B.R. 103, 106-109 (9th Cir. BAP 2000). Based on the court's review of the fee applications, the court noted numerous redacted billing entries for which the court would generally disallow fees because the reasonableness of the fees could not be ascertained, numerous vague billing entries which had not sufficiently described the tasks performed in order to determine the reasonableness of the fees incurred, and billing entries for fees based on unnecessary work, excessive time for the tasks performed, or duplicative work from overstaffing and billing entries for nonattorney administrative tasks overcharging at attorney hourly rates as well as concerns over the sufficiency of the showing that the services were necessary and beneficial to the estate as raised in prior objections. The proposed reductions in the joint stipulation represents a rough approximation of potential fee reductions through a more thorough fee analysis process which the court would have performed in order to determine the reasonableness of the fees (which would have included requests for filing of unredacted billing entries or filing a privilege log with submission of

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unredacted billing entries for in camera review , submission of copies of the pleadings in the state court litigation matters that the certain Chapter 11 professionals were seeking fees for, examination of the professionals regarding the fees requested and services performed at a further evidentiary hearing and further opportunities for the professionals to explain the necessity, reasonableness and benefit of their services). However, considering the totality of the circumstances of the case, the joint stipulation addresses the court's concerns, and the court is satisfied that based on the settlement of these disputes by the parties to the stipulation, which and who are the major stakeholders in the case, is fair and reasonable and should be approved subject to the following modification of paragraph 9 of the stipulation regarding the effect of the stipulation if the California Franchise Tax Board fails to execute the stipulation, the proposed 25% reallocated proceeds from the Chapter 11 administrative professionals will not be reallocated, but the court will conduct further review of the proposed distributions under the Chapter 7 trustee's amended final report and the proposed distributions to the professionals will be subject to further order of the court. Otherwise, the court will approve the fee applications of the Chapter 7 trustee and professionals and the Chapter 11 professionals for the reasons stated in the applications, the joint stipulation of the parties and the lack of any other outstanding objection, and set further hearings on the applications pending the expiration of the 15 day period of the California Franchise Tax Board to decide to give final authorization to the joint stipulation.

Updated tentative ruling as of 4/24/20. Because the court anticipates that this will be a lengthy hearing in the Adelman case on the trustee's final report and fee application and the fee applications of the estate professionals, given the voluminous papers and the remaining opposition of the Arrache creditors, the court will call the various Adelman case matters at 3:00 p.m., not at 2:30 p.m., as other matters on the 2:30 p.m. calendar may also require substantial hearing time, but probably not as much as these matters. Counsel and self-represented parties should call in at 3:00 p.m. for the Adelman case matters.

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Because the pending fee application is voluminous, the large amount of fees requested by applicant and other applicants, minimal, if any, distributions on unsecured claims, the remaining opposition to the application by the Arrache creditors, who had joined the now withdrawn omnibus opposition of creditor Navigators Specialty Insurance Company, but have not withdrawn their opposition, and the fact that the currently assigned judge is not generally familiar with the services for which fees are requested as such services were rendered before he was involved in the case and the court requires the applicant and the objecting parties to appear and address the standards that guide the court's independent review and determination of the fee application pursuant to 11 U.S.C. § 330 as discussed herein. It would help that the parties cite to specific pages of their papers in addressing these standards, so the court can make appropriate determinations that the standards have or have not been met. Applicant has the burden to demonstrate the fees it claims under 11 U.S.C. § 330 are reasonable. In re Basham, 208 B.R. 926, 931-932 (9th Cir. BAP 1997), citing, Hensley v. Eckerhart, 461 U.S. 424, 437 (1983) ("[F]ee applicant bears the burden of establishing entitlement to an award and documenting the appropriate hours expended and hourly rates.").

In order to approve claimed compensation of a professional on the pending fee application, it is necessary for the court to determine whether such services were reasonable, actual, and necessary pursuant to 11 U.S.C. § 330(a)(1)(A) and to consider whether the services rendered were "reasonably likely to benefit the debtor's estate" pursuant to 11 U.S.C. § 330(a)(4)(A). In re Mednet, 251 B.R. 103, 107-109 (9th Cir. BAP 2000). A bankruptcy court also must examine the circumstances and the manner in which services are performed and the results achieved in order to arrive at a determination of a reasonable fee allowance. Id. at 108. Such examination, in general, should include the following questions: First, were the services authorized? Id. at 108. Second, were the services necessary or beneficial to the administration of the estate at the time they were rendered? Id. Third, are the services adequately documented? Fourth, are the fees requested reasonable, taking into consideration the factors set forth in 11 U.S.C. § 330(a)(3)? Id., citing Unsecured Creditors' Committee v. Puget Sound Plywood, Inc., 924 F.2d 955, 957-58 (9th Cir.1991). Finally, in making this determination, the court must take into consideration whether the professional exercised reasonable billing judgment. Id. (footnote omitted). As stated in In re Riverside-Linden

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Investment Co., 925 F.2d 320, 321 (9th Cir.1991), "[w]hen a cost benefit analysis indicates that the only parties who will likely benefit from [a service] are the trustee and his professionals," the service is unwarranted and a court does not abuse its discretion in denying fees for those services (citation and internal quotation marks omitted). Id at 108-109.

The factors under 11 U.S.C. § 330(a)(3) are: In determining the amount of reasonable compensation to be awarded, the court shall consider the nature, the extent, and the value of such services, taking into account all relevant factors, including—(A) the time spent on such services; (B) the rates charged for such services; (C) whether the services were necessary to the administration of, or beneficial at the time at which the service was rendered toward the completion of, a case under this title [the Bankruptcy Code, 11 U.S.C.]; (D) whether the services were performed within a reasonable amount of time commensurate with the complexity, importance, and nature of the problem, issue, or task addressed; and (E) whether the compensation is reasonable based on the customary compensation charged by comparably skilled practitioners in cases other than cases under this title.

Appearances are required on 4/28/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues all hearings on the

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CONT... Fred Matthew Adelman

Chapter 7

Trustee's Final Report, Docket No. 1358, and Applications for Fees and Expenses, Docket Nos. 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, in this bankruptcy case scheduled for March 24, 2020 at 2:30 p.m. The court on its own motion continues these hearings to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearings are continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Fred Matthew Adelman

Represented By
Gary E Devlin
Dare Law

Movant(s):

Klein & Wilson

Represented By
Gerald A Klein

Klein & Wilson

Represented By
Gerald A Klein

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, April 28, 2020

Hearing Room 1675

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2:15-15952 Fred Matthew Adelman

Chapter 7

#25.00 Cont'd hearing re: Application for fees and expenses
[Hinshaw & Culbertson LLP, Prior Chapter Attorney for Trustee/DIP]
fr. 3/24/20

Docket 1345

Tentative Ruling:

Updated supplemental tentative ruling as of 4/28/20 at 1:00 p.m.

The court has reviewed the fee applications of the Chapter 7 and 11 estate professionals, including final and interim applications, pending before the court for approval on a final basis, and the joint stipulation between Chapter 11 administrative professional claimants, the United States of America (Internal Revenue Service), California Franchise Tax Board (apparently agreeing in principle subject to final agency authorization as provided in paragraphs 4 and 9 of the stipulation) and certain general unsecured creditors (i.e., Navigators Specialty Insurance Company and Ronald and Nancy Arrache, having the largest single general unsecured claims in this case), filed on April 27, 2020. The stipulation resolves the disputes that these parties may have had regarding the fee applications of the Chapter 11 administrative professional claimants.

Subject to one modification discussed below, the court determines that the joint stipulation should be approved as it is fair and reasonable in resolving these disputes under the circumstances of this case and as well addresses the court's concerns regarding these fee applications pursuant to its duty to independently review the fee applications under the reasonableness standards of 11 U.S.C. § 330. In re Busy Beaver Building Centers, Inc., 19 F.3d 833, 840-845 (3rd Cir. 1994)(observing that it is generally held that bankruptcy courts have an independent duty to review fee applications even absent objections, stating: "[d]isagreeable as the chore [of reviewing fee applications] may be, the bankruptcy court must protect the estate, lest

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Chapter 7

overreaching attorneys or other professionals drain it of wealth which by right should inure to the benefit of unsecured creditors") (citation omitted); see also, *In re Auto Parts Club, Inc.*, 211 B.R. 29, 33 (9th Cir. BAP 1997)(citing *Busy Beavers* with approval that "[t]he bankruptcy court has a duty to review fee applications notwithstanding the absence of objections by the trustee, debtor, or creditors"). Having reviewed the fee applications and the other papers and pleadings in this case, including the prior objections of the United States Trustee, the Chapter 7 Trustee, Navigators Specialty Insurance Company, the Arraches and other parties, and noting that the court in approving fee applications of certain professionals on an interim basis and did not resolve objections to these fee applications on a final basis in its December 12, 2017 order after the hearing on November 28, 2017 (based on colloquy between the court and counsel for Navigators, Mr. Friedman), the court had concerns about some of the fees requested to be approved on a final basis whether the fees were sufficiently demonstrated to be for services that were reasonable, necessary and beneficial to the estate pursuant to 11 U.S.C. §330. In *re Mednet*, 251 B.R. 103, 106-109 (9th Cir. BAP 2000). Based on the court's review of the fee applications, the court noted numerous redacted billing entries for which the court would generally disallow fees because the reasonableness of the fees could not be ascertained, numerous vague billing entries which had not sufficiently described the tasks performed in order to determine the reasonableness of the fees incurred, and billing entries for fees based on unnecessary work, excessive time for the tasks performed, or duplicative work from overstaffing and billing entries for nonattorney administrative tasks overcharging at attorney hourly rates as well as concerns over the sufficiency of the showing that the services were necessary and beneficial to the estate as raised in prior objections. The proposed reductions in the joint stipulation represents a rough approximation of potential fee reductions through a more thorough fee analysis process which the court would have performed in order to determine the reasonableness of the fees (which would have included requests for filing of unredacted billing entries or filing a privilege log with submission of

**United States Bankruptcy Court
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unredacted billing entries for in camera review , submission of copies of the pleadings in the state court litigation matters that the certain Chapter 11 professionals were seeking fees for, examination of the professionals regarding the fees requested and services performed at a further evidentiary hearing and further opportunities for the professionals to explain the necessity, reasonableness and benefit of their services). However, considering the totality of the circumstances of the case, the joint stipulation addresses the court's concerns, and the court is satisfied that based on the settlement of these disputes by the parties to the stipulation, which and who are the major stakeholders in the case, is fair and reasonable and should be approved subject to the following modification of paragraph 9 of the stipulation regarding the effect of the stipulation if the California Franchise Tax Board fails to execute the stipulation, the proposed 25% reallocated proceeds from the Chapter 11 administrative professionals will not be reallocated, but the court will conduct further review of the proposed distributions under the Chapter 7 trustee's amended final report and the proposed distributions to the professionals will be subject to further order of the court. Otherwise, the court will approve the fee applications of the Chapter 7 trustee and professionals and the Chapter 11 professionals for the reasons stated in the applications, the joint stipulation of the parties and the lack of any other outstanding objection, and set further hearings on the applications pending the expiration of the 15 day period of the California Franchise Tax Board to decide to give final authorization to the joint stipulation.

Updated tentative ruling as of 4/24/20. Because the court anticipates that this will be a lengthy hearing in the Adelman case on the trustee's final report and fee application and the fee applications of the estate professionals, given the voluminous papers and the remaining opposition of the Arrache creditors, the court will call the various Adelman case matters at 3:00 p.m., not at 2:30 p.m., as other matters on the 2:30 p.m. calendar may also require substantial hearing time, but probably not as much as these matters. Counsel and self-represented parties should call in at 3:00 p.m. for the Adelman case matters.

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Because the pending fee application is voluminous, the large amount of fees requested by applicant and other applicants, minimal, if any, distributions on unsecured claims, the remaining opposition to the application by the Arrache creditors, who had joined the now withdrawn omnibus opposition of creditor Navigators Specialty Insurance Company, but have not withdrawn their opposition, and the fact that the currently assigned judge is not generally familiar with the services for which fees are requested as such services were rendered before he was involved in the case and the court requires the applicant and the objecting parties to appear and address the standards that guide the court's independent review and determination of the fee application pursuant to 11 U.S.C. § 330 as discussed herein. It would help that the parties cite to specific pages of their papers in addressing these standards, so the court can make appropriate determinations that the standards have or have not been met. Applicant has the burden to demonstrate the fees it claims under 11 U.S.C. § 330 are reasonable. In re Basham, 208 B.R. 926, 931-932 (9th Cir. BAP 1997), citing, Hensley v. Eckerhart, 461 U.S. 424, 437 (1983) ("[F]ee applicant bears the burden of establishing entitlement to an award and documenting the appropriate hours expended and hourly rates.").

In order to approve claimed compensation of a professional on the pending fee application, it is necessary for the court to determine whether such services were reasonable, actual, and necessary pursuant to 11 U.S.C. § 330(a)(1)(A) and to consider whether the services rendered were "reasonably likely to benefit the debtor's estate" pursuant to 11 U.S.C. § 330(a)(4)(A). In re Mednet, 251 B.R. 103, 107-109 (9th Cir. BAP 2000). A bankruptcy court also must examine the circumstances and the manner in which services are performed and the results achieved in order to arrive at a determination of a reasonable fee allowance. Id. at 108. Such examination, in general, should include the following questions: First, were the services authorized? Id. at 108. Second, were the services necessary or beneficial to the administration of the estate at the time they were rendered? Id. Third, are the services adequately documented? Fourth, are the fees requested reasonable, taking into consideration the factors set forth in 11 U.S.C. § 330(a)(3)? Id., citing Unsecured Creditors' Committee v. Puget Sound Plywood, Inc., 924 F.2d 955, 957-58 (9th Cir.1991). Finally, in making this determination, the court must take into consideration whether the professional exercised reasonable billing judgment. Id. (footnote omitted). As stated in In re Riverside-Linden

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Investment Co., 925 F.2d 320, 321 (9th Cir.1991), "[w]hen a cost benefit analysis indicates that the only parties who will likely benefit from [a service] are the trustee and his professionals," the service is unwarranted and a court does not abuse its discretion in denying fees for those services (citation and internal quotation marks omitted). Id at 108-109.

The factors under 11 U.S.C. § 330(a)(3) are: In determining the amount of reasonable compensation to be awarded, the court shall consider the nature, the extent, and the value of such services, taking into account all relevant factors, including—(A) the time spent on such services; (B) the rates charged for such services; (C) whether the services were necessary to the administration of, or beneficial at the time at which the service was rendered toward the completion of, a case under this title [the Bankruptcy Code, 11 U.S.C.]; (D) whether the services were performed within a reasonable amount of time commensurate with the complexity, importance, and nature of the problem, issue, or task addressed; and (E) whether the compensation is reasonable based on the customary compensation charged by comparably skilled practitioners in cases other than cases under this title.

Appearances are required on 4/28/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues all hearings on the

**United States Bankruptcy Court
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Trustee's Final Report, Docket No. 1358, and Applications for Fees and Expenses, Docket Nos. 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, in this bankruptcy case scheduled for March 24, 2020 at 2:30 p.m. The court on its own motion continues these hearings to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearings are continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Fred Matthew Adelman

Represented By
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Dare Law

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Hinshaw & Culbertson LLP

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Wesley H Avery (TR)

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**United States Bankruptcy Court
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Los Angeles
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2:15-15952 Fred Matthew Adelman

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#26.00 Cont'd hearing re: Application for fees and expenses
[Leech Tishman Fuscaldo & Lample IC, Prior Chapter Attorney for Trustee/DIP]
fr. 3/24/20

Docket 1343

Tentative Ruling:

Updated supplemental tentative ruling as of 4/28/20 at 1:00 p.m.

The court has reviewed the fee applications of the Chapter 7 and 11 estate professionals, including final and interim applications, pending before the court for approval on a final basis, and the joint stipulation between Chapter 11 administrative professional claimants, the United States of America (Internal Revenue Service), California Franchise Tax Board (apparently agreeing in principle subject to final agency authorization as provided in paragraphs 4 and 9 of the stipulation) and certain general unsecured creditors (i.e., Navigators Specialty Insurance Company and Ronald and Nancy Arrache, having the largest single general unsecured claims in this case), filed on April 27, 2020. The stipulation resolves the disputes that these parties may have had regarding the fee applications of the Chapter 11 administrative professional claimants.

Subject to one modification discussed below, the court determines that the joint stipulation should be approved as it is fair and reasonable in resolving these disputes under the circumstances of this case and as well addresses the court's concerns regarding these fee applications pursuant to its duty to independently review the fee applications under the reasonableness standards of 11 U.S.C. § 330. In re Busy Beaver Building Centers, Inc., 19 F.3d 833, 840-845 (3rd Cir. 1994)(observing that it is generally held that bankruptcy courts have an independent duty to review fee applications even absent objections, stating: "[d]isagreeable as the chore [of reviewing fee applications] may be, the bankruptcy court must protect the estate, lest

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overreaching attorneys or other professionals drain it of wealth which by right should inure to the benefit of unsecured creditors") (citation omitted); see also, *In re Auto Parts Club, Inc.*, 211 B.R. 29, 33 (9th Cir. BAP 1997)(citing *Busy Beavers* with approval that "[t]he bankruptcy court has a duty to review fee applications notwithstanding the absence of objections by the trustee, debtor, or creditors"). Having reviewed the fee applications and the other papers and pleadings in this case, including the prior objections of the United States Trustee, the Chapter 7 Trustee, Navigators Specialty Insurance Company, the Arraches and other parties, and noting that the court in approving fee applications of certain professionals on an interim basis and did not resolve objections to these fee applications on a final basis in its December 12, 2017 order after the hearing on November 28, 2017 (based on colloquy between the court and counsel for Navigators, Mr. Friedman), the court had concerns about some of the fees requested to be approved on a final basis whether the fees were sufficiently demonstrated to be for services that were reasonable, necessary and beneficial to the estate pursuant to 11 U.S.C. §330. In *re Mednet*, 251 B.R. 103, 106-109 (9th Cir. BAP 2000). Based on the court's review of the fee applications, the court noted numerous redacted billing entries for which the court would generally disallow fees because the reasonableness of the fees could not be ascertained, numerous vague billing entries which had not sufficiently described the tasks performed in order to determine the reasonableness of the fees incurred, and billing entries for fees based on unnecessary work, excessive time for the tasks performed, or duplicative work from overstaffing and billing entries for nonattorney administrative tasks overcharging at attorney hourly rates as well as concerns over the sufficiency of the showing that the services were necessary and beneficial to the estate as raised in prior objections. The proposed reductions in the joint stipulation represents a rough approximation of potential fee reductions through a more thorough fee analysis process which the court would have performed in order to determine the reasonableness of the fees (which would have included requests for filing of unredacted billing entries or filing a privilege log with submission of

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Updated tentative ruling as of 4/24/20. Because the court anticipates that this will be a lengthy hearing in the Adelman case on the trustee's final report and fee application and the fee applications of the estate professionals, given the voluminous papers and the remaining opposition of the Arrache creditors, the court will call the various Adelman case matters at 3:00 p.m., not at 2:30 p.m., as other matters on the 2:30 p.m. calendar may also require substantial hearing time, but probably not as much as these matters. Counsel and self-represented parties should call in at 3:00 p.m. for the Adelman case matters.

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Because the pending fee application is voluminous, the large amount of fees requested by applicant and other applicants, minimal, if any, distributions on unsecured claims, the remaining opposition to the application by the Arrache creditors, who had joined the now withdrawn omnibus opposition of creditor Navigators Specialty Insurance Company, but have not withdrawn their opposition, and the fact that the currently assigned judge is not generally familiar with the services for which fees are requested as such services were rendered before he was involved in the case and the court requires the applicant and the objecting parties to appear and address the standards that guide the court's independent review and determination of the fee application pursuant to 11 U.S.C. § 330 as discussed herein. It would help that the parties cite to specific pages of their papers in addressing these standards, so the court can make appropriate determinations that the standards have or have not been met. Applicant has the burden to demonstrate the fees it claims under 11 U.S.C. § 330 are reasonable. In re Basham, 208 B.R. 926, 931-932 (9th Cir. BAP 1997), citing, Hensley v. Eckerhart, 461 U.S. 424, 437 (1983) ("[F]ee applicant bears the burden of establishing entitlement to an award and documenting the appropriate hours expended and hourly rates.").

In order to approve claimed compensation of a professional on the pending fee application, it is necessary for the court to determine whether such services were reasonable, actual, and necessary pursuant to 11 U.S.C. § 330(a)(1)(A) and to consider whether the services rendered were "reasonably likely to benefit the debtor's estate" pursuant to 11 U.S.C. § 330(a)(4)(A). In re Mednet, 251 B.R. 103, 107-109 (9th Cir. BAP 2000). A bankruptcy court also must examine the circumstances and the manner in which services are performed and the results achieved in order to arrive at a determination of a reasonable fee allowance. Id. at 108. Such examination, in general, should include the following questions: First, were the services authorized? Id. at 108. Second, were the services necessary or beneficial to the administration of the estate at the time they were rendered? Id. Third, are the services adequately documented? Fourth, are the fees requested reasonable, taking into consideration the factors set forth in 11 U.S.C. § 330(a)(3)? Id., citing Unsecured Creditors' Committee v. Puget Sound Plywood, Inc., 924 F.2d 955, 957-58 (9th Cir.1991). Finally, in making this determination, the court must take into consideration whether the professional exercised reasonable billing judgment. Id. (footnote omitted). As stated in In re Riverside-Linden

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Investment Co., 925 F.2d 320, 321 (9th Cir.1991), "[w]hen a cost benefit analysis indicates that the only parties who will likely benefit from [a service] are the trustee and his professionals," the service is unwarranted and a court does not abuse its discretion in denying fees for those services (citation and internal quotation marks omitted). Id at 108-109.

The factors under 11 U.S.C. § 330(a)(3) are: In determining the amount of reasonable compensation to be awarded, the court shall consider the nature, the extent, and the value of such services, taking into account all relevant factors, including—(A) the time spent on such services; (B) the rates charged for such services; (C) whether the services were necessary to the administration of, or beneficial at the time at which the service was rendered toward the completion of, a case under this title [the Bankruptcy Code, 11 U.S.C.]; (D) whether the services were performed within a reasonable amount of time commensurate with the complexity, importance, and nature of the problem, issue, or task addressed; and (E) whether the compensation is reasonable based on the customary compensation charged by comparably skilled practitioners in cases other than cases under this title.

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Prior tentative ruling. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues all hearings on the

**United States Bankruptcy Court
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Chapter 7

Trustee's Final Report, Docket No. 1358, and Applications for Fees and Expenses, Docket Nos. 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, in this bankruptcy case scheduled for March 24, 2020 at 2:30 p.m. The court on its own motion continues these hearings to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearings are continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

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Represented By
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Movant(s):

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Sandford L. Frey

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**United States Bankruptcy Court
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2:15-15952 Fred Matthew Adelman

Chapter 7

#27.00 Cont'd hearing re: Application for fees and expenses
[Creim Macias Koenig & Frey, Prior Chapter Attorney for Trustee/DIP]
fr. 3/24/20

Docket 1342

Tentative Ruling:

Updated supplemental tentative ruling as of 4/28/20 at 1:00 p.m.

The court has reviewed the fee applications of the Chapter 7 and 11 estate professionals, including final and interim applications, pending before the court for approval on a final basis, and the joint stipulation between Chapter 11 administrative professional claimants, the United States of America (Internal Revenue Service), California Franchise Tax Board (apparently agreeing in principle subject to final agency authorization as provided in paragraphs 4 and 9 of the stipulation) and certain general unsecured creditors (i.e., Navigators Specialty Insurance Company and Ronald and Nancy Arrache, having the largest single general unsecured claims in this case), filed on April 27, 2020. The stipulation resolves the disputes that these parties may have had regarding the fee applications of the Chapter 11 administrative professional claimants.

Subject to one modification discussed below, the court determines that the joint stipulation should be approved as it is fair and reasonable in resolving these disputes under the circumstances of this case and as well addresses the court's concerns regarding these fee applications pursuant to its duty to independently review the fee applications under the reasonableness standards of 11 U.S.C. § 330. In re Busy Beaver Building Centers, Inc., 19 F.3d 833, 840-845 (3rd Cir. 1994)(observing that it is generally held that bankruptcy courts have an independent duty to review fee applications even absent objections, stating: "[d]isagreeable as the chore [of reviewing fee applications] may be, the bankruptcy court must protect the estate, lest

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overreaching attorneys or other professionals drain it of wealth which by right should inure to the benefit of unsecured creditors") (citation omitted); see also, *In re Auto Parts Club, Inc.*, 211 B.R. 29, 33 (9th Cir. BAP 1997)(citing *Busy Beavers* with approval that "[t]he bankruptcy court has a duty to review fee applications notwithstanding the absence of objections by the trustee, debtor, or creditors"). Having reviewed the fee applications and the other papers and pleadings in this case, including the prior objections of the United States Trustee, the Chapter 7 Trustee, Navigators Specialty Insurance Company, the Arraches and other parties, and noting that the court in approving fee applications of certain professionals on an interim basis and did not resolve objections to these fee applications on a final basis in its December 12, 2017 order after the hearing on November 28, 2017 (based on colloquy between the court and counsel for Navigators, Mr. Friedman), the court had concerns about some of the fees requested to be approved on a final basis whether the fees were sufficiently demonstrated to be for services that were reasonable, necessary and beneficial to the estate pursuant to 11 U.S.C. §330. *In re Mednet*, 251 B.R. 103, 106-109 (9th Cir. BAP 2000). Based on the court's review of the fee applications, the court noted numerous redacted billing entries for which the court would generally disallow fees because the reasonableness of the fees could not be ascertained, numerous vague billing entries which had not sufficiently described the tasks performed in order to determine the reasonableness of the fees incurred, and billing entries for fees based on unnecessary work, excessive time for the tasks performed, or duplicative work from overstaffing and billing entries for nonattorney administrative tasks overcharging at attorney hourly rates as well as concerns over the sufficiency of the showing that the services were necessary and beneficial to the estate as raised in prior objections. The proposed reductions in the joint stipulation represents a rough approximation of potential fee reductions through a more thorough fee analysis process which the court would have performed in order to determine the reasonableness of the fees (which would have included requests for filing of unredacted billing entries or filing a privilege log with submission of

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unredacted billing entries for in camera review , submission of copies of the pleadings in the state court litigation matters that the certain Chapter 11 professionals were seeking fees for, examination of the professionals regarding the fees requested and services performed at a further evidentiary hearing and further opportunities for the professionals to explain the necessity, reasonableness and benefit of their services). However, considering the totality of the circumstances of the case, the joint stipulation addresses the court's concerns, and the court is satisfied that based on the settlement of these disputes by the parties to the stipulation, which and who are the major stakeholders in the case, is fair and reasonable and should be approved subject to the following modification of paragraph 9 of the stipulation regarding the effect of the stipulation if the California Franchise Tax Board fails to execute the stipulation, the proposed 25% reallocated proceeds from the Chapter 11 administrative professionals will not be reallocated, but the court will conduct further review of the proposed distributions under the Chapter 7 trustee's amended final report and the proposed distributions to the professionals will be subject to further order of the court. Otherwise, the court will approve the fee applications of the Chapter 7 trustee and professionals and the Chapter 11 professionals for the reasons stated in the applications, the joint stipulation of the parties and the lack of any other outstanding objection, and set further hearings on the applications pending the expiration of the 15 day period of the California Franchise Tax Board to decide to give final authorization to the joint stipulation.

Updated tentative ruling as of 4/24/20. Because the court anticipates that this will be a lengthy hearing in the Adelman case on the trustee's final report and fee application and the fee applications of the estate professionals, given the voluminous papers and the remaining opposition of the Arrache creditors, the court will call the various Adelman case matters at 3:00 p.m., not at 2:30 p.m., as other matters on the 2:30 p.m. calendar may also require substantial hearing time, but probably not as much as these matters. Counsel and self-represented parties should call in at 3:00 p.m. for the Adelman case matters.

**United States Bankruptcy Court
Central District of California
Los Angeles
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Because the pending fee application is voluminous, the large amount of fees requested by applicant and other applicants, minimal, if any, distributions on unsecured claims, the remaining opposition to the application by the Arrache creditors, who had joined the now withdrawn omnibus opposition of creditor Navigators Specialty Insurance Company, but have not withdrawn their opposition, and the fact that the currently assigned judge is not generally familiar with the services for which fees are requested as such services were rendered before he was involved in the case and the court requires the applicant and the objecting parties to appear and address the standards that guide the court's independent review and determination of the fee application pursuant to 11 U.S.C. § 330 as discussed herein. It would help that the parties cite to specific pages of their papers in addressing these standards, so the court can make appropriate determinations that the standards have or have not been met. Applicant has the burden to demonstrate the fees it claims under 11 U.S.C. § 330 are reasonable. In re Basham, 208 B.R. 926, 931-932 (9th Cir. BAP 1997), citing, Hensley v. Eckerhart, 461 U.S. 424, 437 (1983) ("[F]ee applicant bears the burden of establishing entitlement to an award and documenting the appropriate hours expended and hourly rates.").

In order to approve claimed compensation of a professional on the pending fee application, it is necessary for the court to determine whether such services were reasonable, actual, and necessary pursuant to 11 U.S.C. § 330(a)(1)(A) and to consider whether the services rendered were "reasonably likely to benefit the debtor's estate" pursuant to 11 U.S.C. § 330(a)(4)(A). In re Mednet, 251 B.R. 103, 107-109 (9th Cir. BAP 2000). A bankruptcy court also must examine the circumstances and the manner in which services are performed and the results achieved in order to arrive at a determination of a reasonable fee allowance. Id. at 108. Such examination, in general, should include the following questions: First, were the services authorized? Id. at 108. Second, were the services necessary or beneficial to the administration of the estate at the time they were rendered? Id. Third, are the services adequately documented? Fourth, are the fees requested reasonable, taking into consideration the factors set forth in 11 U.S.C. § 330(a)(3)? Id., citing Unsecured Creditors' Committee v. Puget Sound Plywood, Inc., 924 F.2d 955, 957-58 (9th Cir.1991). Finally, in making this determination, the court must take into consideration whether the professional exercised reasonable billing judgment. Id. (footnote omitted). As stated in In re Riverside-Linden

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Investment Co., 925 F.2d 320, 321 (9th Cir.1991), "[w]hen a cost benefit analysis indicates that the only parties who will likely benefit from [a service] are the trustee and his professionals," the service is unwarranted and a court does not abuse its discretion in denying fees for those services (citation and internal quotation marks omitted). Id at 108-109.

The factors under 11 U.S.C. § 330(a)(3) are: In determining the amount of reasonable compensation to be awarded, the court shall consider the nature, the extent, and the value of such services, taking into account all relevant factors, including—(A) the time spent on such services; (B) the rates charged for such services; (C) whether the services were necessary to the administration of, or beneficial at the time at which the service was rendered toward the completion of, a case under this title [the Bankruptcy Code, 11 U.S.C.]; (D) whether the services were performed within a reasonable amount of time commensurate with the complexity, importance, and nature of the problem, issue, or task addressed; and (E) whether the compensation is reasonable based on the customary compensation charged by comparably skilled practitioners in cases other than cases under this title.

Appearances are required on 4/28/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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Trustee's Final Report, Docket No. 1358, and Applications for Fees and Expenses, Docket Nos. 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, in this bankruptcy case scheduled for March 24, 2020 at 2:30 p.m. The court on its own motion continues these hearings to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearings are continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Fred Matthew Adelman

Represented By
Gary E Devlin
Dare Law

Movant(s):

Stuart I. Koenig Creim Macias

Represented By
Sandford L. Frey

Trustee(s):

Wesley H Avery (TR)

Represented By
Chad V Haes
D Edward Hays
Kristine A Thagard

**United States Bankruptcy Court
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Tuesday, April 28, 2020

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2:15-15952 Fred Matthew Adelman

Chapter 7

#28.00 Cont'd hearing re: Application for fees and expenses
[Hill, Farrer & Burrill LLP, Prior Chapter Attorney for Trustee/DIP]
fr. 3/24/20

Docket 1344

Tentative Ruling:

Updated supplemental tentative ruling as of 4/28/20 at 1:00 p.m.

The court has reviewed the fee applications of the Chapter 7 and 11 estate professionals, including final and interim applications, pending before the court for approval on a final basis, and the joint stipulation between Chapter 11 administrative professional claimants, the United States of America (Internal Revenue Service), California Franchise Tax Board (apparently agreeing in principle subject to final agency authorization as provided in paragraphs 4 and 9 of the stipulation) and certain general unsecured creditors (i.e., Navigators Specialty Insurance Company and Ronald and Nancy Arrache, having the largest single general unsecured claims in this case), filed on April 27, 2020. The stipulation resolves the disputes that these parties may have had regarding the fee applications of the Chapter 11 administrative professional claimants.

Subject to one modification discussed below, the court determines that the joint stipulation should be approved as it is fair and reasonable in resolving these disputes under the circumstances of this case and as well addresses the court's concerns regarding these fee applications pursuant to its duty to independently review the fee applications under the reasonableness standards of 11 U.S.C. § 330. In re Busy Beaver Building Centers, Inc., 19 F.3d 833, 840-845 (3rd Cir. 1994)(observing that it is generally held that bankruptcy courts have an independent duty to review fee applications even absent objections, stating: "[d]isagreeable as the chore [of reviewing fee applications] may be, the bankruptcy court must protect the estate, lest

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Fred Matthew Adelman

Chapter 7

overreaching attorneys or other professionals drain it of wealth which by right should inure to the benefit of unsecured creditors") (citation omitted); see also, *In re Auto Parts Club, Inc.*, 211 B.R. 29, 33 (9th Cir. BAP 1997)(citing *Busy Beavers* with approval that "[t]he bankruptcy court has a duty to review fee applications notwithstanding the absence of objections by the trustee, debtor, or creditors"). Having reviewed the fee applications and the other papers and pleadings in this case, including the prior objections of the United States Trustee, the Chapter 7 Trustee, Navigators Specialty Insurance Company, the Arraches and other parties, and noting that the court in approving fee applications of certain professionals on an interim basis and did not resolve objections to these fee applications on a final basis in its December 12, 2017 order after the hearing on November 28, 2017 (based on colloquy between the court and counsel for Navigators, Mr. Friedman), the court had concerns about some of the fees requested to be approved on a final basis whether the fees were sufficiently demonstrated to be for services that were reasonable, necessary and beneficial to the estate pursuant to 11 U.S.C. §330. *In re Mednet*, 251 B.R. 103, 106-109 (9th Cir. BAP 2000). Based on the court's review of the fee applications, the court noted numerous redacted billing entries for which the court would generally disallow fees because the reasonableness of the fees could not be ascertained, numerous vague billing entries which had not sufficiently described the tasks performed in order to determine the reasonableness of the fees incurred, and billing entries for fees based on unnecessary work, excessive time for the tasks performed, or duplicative work from overstaffing and billing entries for nonattorney administrative tasks overcharging at attorney hourly rates as well as concerns over the sufficiency of the showing that the services were necessary and beneficial to the estate as raised in prior objections. The proposed reductions in the joint stipulation represents a rough approximation of potential fee reductions through a more thorough fee analysis process which the court would have performed in order to determine the reasonableness of the fees (which would have included requests for filing of unredacted billing entries or filing a privilege log with submission of

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Chapter 7

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Because the pending fee application is voluminous, the large amount of fees requested by applicant and other applicants, minimal, if any, distributions on unsecured claims, the remaining opposition to the application by the Arrache creditors, who had joined the now withdrawn omnibus opposition of creditor Navigators Specialty Insurance Company, but have not withdrawn their opposition, and the fact that the currently assigned judge is not generally familiar with the services for which fees are requested as such services were rendered before he was involved in the case and the court requires the applicant and the objecting parties to appear and address the standards that guide the court's independent review and determination of the fee application pursuant to 11 U.S.C. § 330 as discussed herein. It would help that the parties cite to specific pages of their papers in addressing these standards, so the court can make appropriate determinations that the standards have or have not been met. Applicant has the burden to demonstrate the fees it claims under 11 U.S.C. § 330 are reasonable. In re Basham, 208 B.R. 926, 931-932 (9th Cir. BAP 1997), citing, Hensley v. Eckerhart, 461 U.S. 424, 437 (1983) ("[F]ee applicant bears the burden of establishing entitlement to an award and documenting the appropriate hours expended and hourly rates.").

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**United States Bankruptcy Court
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Fred Matthew Adelman

Chapter 7

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Represented By
Gary E Devlin
Dare Law

Movant(s):

HILL FARRER & BURRILL LLP

Represented By
Daniel J McCarthy

Trustee(s):

Wesley H Avery (TR)

Represented By
Chad V Haes
D Edward Hays
Kristine A Thagard

**United States Bankruptcy Court
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2:15-15952 Fred Matthew Adelman

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#29.00 Cont'd hearing re: Application for fees and expenses
[Morrison & Foerster LLP, Prior Chapter Attorney for Trustee/DIP]
fr. 3/24/20

Docket 1340

Tentative Ruling:

Updated supplemental tentative ruling as of 4/28/20 at 1:00 p.m.

The court has reviewed the fee applications of the Chapter 7 and 11 estate professionals, including final and interim applications, pending before the court for approval on a final basis, and the joint stipulation between Chapter 11 administrative professional claimants, the United States of America (Internal Revenue Service), California Franchise Tax Board (apparently agreeing in principle subject to final agency authorization as provided in paragraphs 4 and 9 of the stipulation) and certain general unsecured creditors (i.e., Navigators Specialty Insurance Company and Ronald and Nancy Arrache, having the largest single general unsecured claims in this case), filed on April 27, 2020. The stipulation resolves the disputes that these parties may have had regarding the fee applications of the Chapter 11 administrative professional claimants.

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Chapter 7

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Morrison & Foerster Llp

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Adam A Lewis

Morrison & Foerster Llp

Represented By
Adam A Lewis

Klein & Wilson

Represented By
Gerald A Klein

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, April 28, 2020

Hearing Room 1675

2:30 PM

2:15-15952 Fred Matthew Adelman

Chapter 7

#30.00 Cont'd hearing re: Application for fees and expenses
[Marshack Hays, LLP, Attorney for Trustee]
fr. 3/24/20

Docket 1346

Tentative Ruling:

Updated tentative ruling as of 4/24/20. Because the court anticipates that this will be a lengthy hearing in the Adelman case on the trustee's final report and fee application and the fee applications of the estate professionals, given the voluminous papers and the remaining opposition of the Arrache creditors, the court will call the various Adelman case matters at 3:00 p.m., not at 2:30 p.m., as other matters on the 2:30 p.m. calendar may also require substantial hearing time, but probably not as much as these matters. Counsel should call in at 3:00 p.m. for the Adelman case matters.

Approve the final report and fee application of the Chapter 7 trustee for the reasons stated in the final report, except no tentative ruling on the merits with respect to the treatment in the final report of the fee applications of the Chapter 11 professionals then employed at the request of the debtor then in possession.

Appearances are required on 4/28/20, but trustee, counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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

Tuesday, April 28, 2020

Hearing Room 1675

2:30 PM

CONT... Fred Matthew Adelman

Chapter 7

Prior tentative ruling. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues all hearings on the Trustee's Final Report, Docket No. 1358, and Applications for Fees and Expenses, Docket Nos. 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, in this bankruptcy case scheduled for March 24, 2020 at 2:30 p.m. The court on its own motion continues these hearings to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearings are continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Fred Matthew Adelman

Represented By
Gary E Devlin
Dare Law

Movant(s):

Marshack Hays LLP

Represented By
D Edward Hays
Chad V Haes

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
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Tuesday, April 28, 2020

Hearing Room 1675

2:30 PM

2:15-15952 Fred Matthew Adelman

Chapter 7

#31.00 Cont'd hearing re: Application for fees and expenses
[Leslie Cohen Law, PC, Prior Chapter Attorney for Trustee/DIP]
fr. 3/24/20

Docket 1341

Tentative Ruling:

Updated supplemental tentative ruling as of 4/28/20 at 1:00 p.m.

The court has reviewed the fee applications of the Chapter 7 and 11 estate professionals, including final and interim applications, pending before the court for approval on a final basis, and the joint stipulation between Chapter 11 administrative professional claimants, the United States of America (Internal Revenue Service), California Franchise Tax Board (apparently agreeing in principle subject to final agency authorization as provided in paragraphs 4 and 9 of the stipulation) and certain general unsecured creditors (i.e., Navigators Specialty Insurance Company and Ronald and Nancy Arrache, having the largest single general unsecured claims in this case), filed on April 27, 2020. The stipulation resolves the disputes that these parties may have had regarding the fee applications of the Chapter 11 administrative professional claimants.

Subject to one modification discussed below, the court determines that the joint stipulation should be approved as it is fair and reasonable in resolving these disputes under the circumstances of this case and as well addresses the court's concerns regarding these fee applications pursuant to its duty to independently review the fee applications under the reasonableness standards of 11 U.S.C. § 330. In re Busy Beaver Building Centers, Inc., 19 F.3d 833, 840-845 (3rd Cir. 1994)(observing that it is generally held that bankruptcy courts have an independent duty to review fee applications even absent objections, stating: "[d]isagreeable as the chore [of reviewing fee applications] may be, the bankruptcy court must protect the estate, lest

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Fred Matthew Adelman

Chapter 7

overreaching attorneys or other professionals drain it of wealth which by right should inure to the benefit of unsecured creditors") (citation omitted); see also, *In re Auto Parts Club, Inc.*, 211 B.R. 29, 33 (9th Cir. BAP 1997)(citing *Busy Beavers* with approval that "[t]he bankruptcy court has a duty to review fee applications notwithstanding the absence of objections by the trustee, debtor, or creditors"). Having reviewed the fee applications and the other papers and pleadings in this case, including the prior objections of the United States Trustee, the Chapter 7 Trustee, Navigators Specialty Insurance Company, the Arraches and other parties, and noting that the court in approving fee applications of certain professionals on an interim basis and did not resolve objections to these fee applications on a final basis in its December 12, 2017 order after the hearing on November 28, 2017 (based on colloquy between the court and counsel for Navigators, Mr. Friedman), the court had concerns about some of the fees requested to be approved on a final basis whether the fees were sufficiently demonstrated to be for services that were reasonable, necessary and beneficial to the estate pursuant to 11 U.S.C. §330. *In re Mednet*, 251 B.R. 103, 106-109 (9th Cir. BAP 2000). Based on the court's review of the fee applications, the court noted numerous redacted billing entries for which the court would generally disallow fees because the reasonableness of the fees could not be ascertained, numerous vague billing entries which had not sufficiently described the tasks performed in order to determine the reasonableness of the fees incurred, and billing entries for fees based on unnecessary work, excessive time for the tasks performed, or duplicative work from overstaffing and billing entries for nonattorney administrative tasks overcharging at attorney hourly rates as well as concerns over the sufficiency of the showing that the services were necessary and beneficial to the estate as raised in prior objections. The proposed reductions in the joint stipulation represents a rough approximation of potential fee reductions through a more thorough fee analysis process which the court would have performed in order to determine the reasonableness of the fees (which would have included requests for filing of unredacted billing entries or filing a privilege log with submission of

**United States Bankruptcy Court
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Los Angeles
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unredacted billing entries for in camera review , submission of copies of the pleadings in the state court litigation matters that the certain Chapter 11 professionals were seeking fees for, examination of the professionals regarding the fees requested and services performed at a further evidentiary hearing and further opportunities for the professionals to explain the necessity, reasonableness and benefit of their services). However, considering the totality of the circumstances of the case, the joint stipulation addresses the court's concerns, and the court is satisfied that based on the settlement of these disputes by the parties to the stipulation, which and who are the major stakeholders in the case, is fair and reasonable and should be approved subject to the following modification of paragraph 9 of the stipulation regarding the effect of the stipulation if the California Franchise Tax Board fails to execute the stipulation, the proposed 25% reallocated proceeds from the Chapter 11 administrative professionals will not be reallocated, but the court will conduct further review of the proposed distributions under the Chapter 7 trustee's amended final report and the proposed distributions to the professionals will be subject to further order of the court. Otherwise, the court will approve the fee applications of the Chapter 7 trustee and professionals and the Chapter 11 professionals for the reasons stated in the applications, the joint stipulation of the parties and the lack of any other outstanding objection, and set further hearings on the applications pending the expiration of the 15 day period of the California Franchise Tax Board to decide to give final authorization to the joint stipulation.

Updated tentative ruling as of 4/24/20. Because the court anticipates that this will be a lengthy hearing in the Adelman case on the trustee's final report and fee application and the fee applications of the estate professionals, given the voluminous papers and the remaining opposition of the Arrache creditors, the court will call the various Adelman case matters at 3:00 p.m., not at 2:30 p.m., as other matters on the 2:30 p.m. calendar may also require substantial hearing time, but probably not as much as these matters. Counsel and self-represented parties should call in at 3:00 p.m. for the Adelman case matters.

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Los Angeles
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Chapter 7

Because the pending fee application is voluminous, the large amount of fees requested by applicant and other applicants, minimal, if any, distributions on unsecured claims, the remaining opposition to the application by the Arrache creditors, who had joined the now withdrawn omnibus opposition of creditor Navigators Specialty Insurance Company, but have not withdrawn their opposition, and the fact that the currently assigned judge is not generally familiar with the services for which fees are requested as such services were rendered before he was involved in the case and the court requires the applicant and the objecting parties to appear and address the standards that guide the court's independent review and determination of the fee application pursuant to 11 U.S.C. § 330 as discussed herein. It would help that the parties cite to specific pages of their papers in addressing these standards, so the court can make appropriate determinations that the standards have or have not been met. Applicant has the burden to demonstrate the fees it claims under 11 U.S.C. § 330 are reasonable. In re Basham, 208 B.R. 926, 931-932 (9th Cir. BAP 1997), citing, Hensley v. Eckerhart, 461 U.S. 424, 437 (1983) ("[F]ee applicant bears the burden of establishing entitlement to an award and documenting the appropriate hours expended and hourly rates.").

In order to approve claimed compensation of a professional on the pending fee application, it is necessary for the court to determine whether such services were reasonable, actual, and necessary pursuant to 11 U.S.C. § 330(a)(1)(A) and to consider whether the services rendered were "reasonably likely to benefit the debtor's estate" pursuant to 11 U.S.C. § 330(a)(4)(A). In re Mednet, 251 B.R. 103, 107-109 (9th Cir. BAP 2000). A bankruptcy court also must examine the circumstances and the manner in which services are performed and the results achieved in order to arrive at a determination of a reasonable fee allowance. Id. at 108. Such examination, in general, should include the following questions: First, were the services authorized? Id. at 108. Second, were the services necessary or beneficial to the administration of the estate at the time they were rendered? Id. Third, are the services adequately documented? Fourth, are the fees requested reasonable, taking into consideration the factors set forth in 11 U.S.C. § 330(a)(3)? Id., citing Unsecured Creditors' Committee v. Puget Sound Plywood, Inc., 924 F.2d 955, 957-58 (9th Cir.1991). Finally, in making this determination, the court must take into consideration whether the professional exercised reasonable billing judgment. Id. (footnote omitted). As stated in In re Riverside-Linden

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Investment Co., 925 F.2d 320, 321 (9th Cir.1991), "[w]hen a cost benefit analysis indicates that the only parties who will likely benefit from [a service] are the trustee and his professionals," the service is unwarranted and a court does not abuse its discretion in denying fees for those services (citation and internal quotation marks omitted). Id at 108-109.

The factors under 11 U.S.C. § 330(a)(3) are: In determining the amount of reasonable compensation to be awarded, the court shall consider the nature, the extent, and the value of such services, taking into account all relevant factors, including—(A) the time spent on such services; (B) the rates charged for such services; (C) whether the services were necessary to the administration of, or beneficial at the time at which the service was rendered toward the completion of, a case under this title [the Bankruptcy Code, 11 U.S.C.]; (D) whether the services were performed within a reasonable amount of time commensurate with the complexity, importance, and nature of the problem, issue, or task addressed; and (E) whether the compensation is reasonable based on the customary compensation charged by comparably skilled practitioners in cases other than cases under this title.

Appearances are required on 4/28/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues all hearings on the

**United States Bankruptcy Court
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CONT... Fred Matthew Adelman

Chapter 7

Trustee's Final Report, Docket No. 1358, and Applications for Fees and Expenses, Docket Nos. 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, in this bankruptcy case scheduled for March 24, 2020 at 2:30 p.m. The court on its own motion continues these hearings to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearings are continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Fred Matthew Adelman

Represented By
Gary E Devlin
Dare Law

Movant(s):

Leslie Cohen

Pro Se

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
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Tuesday, April 28, 2020

Hearing Room 1675

2:30 PM

2:15-15952 Fred Matthew Adelman

Chapter 7

#32.00 Cont'd hearing re: Application for fees and expenses
[Samuel Biggs, Accountant for Trustee]
fr. 3/24/20

Docket 1339

Tentative Ruling:

Updated tentative ruling as of 4/24/20. Because the court anticipates that this will be a lengthy hearing in the Adelman case on the trustee's final report and fee application and the fee applications of the estate professionals, given the voluminous papers and the remaining opposition of the Arrache creditors, the court will call the various Adelman case matters at 3:00 p.m., not at 2:30 p.m., as other matters on the 2:30 p.m. calendar may also require substantial hearing time, but probably not as much as these matters. Counsel should call in at 3:00 p.m. for the Adelman case matters.

Approve the final fee application of the accountant for the Chapter 7 trustee for the reasons stated in the fee application and for lack of timely written objection.

Appearances are optional on 4/28/20, but trustee, applicant counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Trustee or applicant are ordered to submit a proposed order within 7 days of

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the hearing.

Chapter 7

Prior tentative ruling. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues all hearings on the Trustee's Final Report, Docket No. 1358, and Applications for Fees and Expenses, Docket Nos. 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, in this bankruptcy case scheduled for March 24, 2020 at 2:30 p.m. The court on its own motion continues these hearings to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearings are continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Fred Matthew Adelman

Represented By
Gary E Devlin
Dare Law

Movant(s):

SL Biggs

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Chad V Haes
D Edward Hays
Kristine A Thagard

**United States Bankruptcy Court
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Chapter 7

#33.00 Cont'd hearing re: Application for fees and expenses
[Samuel Biggs, Prior Chapter Accountant for Trustee/DIP]
fr. 3/24/20

Docket 1339

Tentative Ruling:

Updated supplemental tentative ruling as of 4/28/20 at 1:00 p.m.

The court has reviewed the fee applications of the Chapter 7 and 11 estate professionals, including final and interim applications, pending before the court for approval on a final basis, and the joint stipulation between Chapter 11 administrative professional claimants, the United States of America (Internal Revenue Service), California Franchise Tax Board (apparently agreeing in principle subject to final agency authorization as provided in paragraphs 4 and 9 of the stipulation) and certain general unsecured creditors (i.e., Navigators Specialty Insurance Company and Ronald and Nancy Arrache, having the largest single general unsecured claims in this case), filed on April 27, 2020. The stipulation resolves the disputes that these parties may have had regarding the fee applications of the Chapter 11 administrative professional claimants.

Subject to one modification discussed below, the court determines that the joint stipulation should be approved as it is fair and reasonable in resolving these disputes under the circumstances of this case and as well addresses the court's concerns regarding these fee applications pursuant to its duty to independently review the fee applications under the reasonableness standards of 11 U.S.C. § 330. In re Busy Beaver Building Centers, Inc., 19 F.3d 833, 840-845 (3rd Cir. 1994)(observing that it is generally held that bankruptcy courts have an independent duty to review fee applications even absent objections, stating: "[d]isagreeable as the chore [of reviewing fee applications] may be, the bankruptcy court must protect the estate, lest

**United States Bankruptcy Court
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Los Angeles
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Fred Matthew Adelman

Chapter 7

overreaching attorneys or other professionals drain it of wealth which by right should inure to the benefit of unsecured creditors") (citation omitted); see also, *In re Auto Parts Club, Inc.*, 211 B.R. 29, 33 (9th Cir. BAP 1997)(citing *Busy Beavers* with approval that "[t]he bankruptcy court has a duty to review fee applications notwithstanding the absence of objections by the trustee, debtor, or creditors"). Having reviewed the fee applications and the other papers and pleadings in this case, including the prior objections of the United States Trustee, the Chapter 7 Trustee, Navigators Specialty Insurance Company, the Arraches and other parties, and noting that the court in approving fee applications of certain professionals on an interim basis and did not resolve objections to these fee applications on a final basis in its December 12, 2017 order after the hearing on November 28, 2017 (based on colloquy between the court and counsel for Navigators, Mr. Friedman), the court had concerns about some of the fees requested to be approved on a final basis whether the fees were sufficiently demonstrated to be for services that were reasonable, necessary and beneficial to the estate pursuant to 11 U.S.C. §330. *In re Mednet*, 251 B.R. 103, 106-109 (9th Cir. BAP 2000). Based on the court's review of the fee applications, the court noted numerous redacted billing entries for which the court would generally disallow fees because the reasonableness of the fees could not be ascertained, numerous vague billing entries which had not sufficiently described the tasks performed in order to determine the reasonableness of the fees incurred, and billing entries for fees based on unnecessary work, excessive time for the tasks performed, or duplicative work from overstaffing and billing entries for nonattorney administrative tasks overcharging at attorney hourly rates as well as concerns over the sufficiency of the showing that the services were necessary and beneficial to the estate as raised in prior objections. The proposed reductions in the joint stipulation represents a rough approximation of potential fee reductions through a more thorough fee analysis process which the court would have performed in order to determine the reasonableness of the fees (which would have included requests for filing of unredacted billing entries or filing a privilege log with submission of

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unredacted billing entries for in camera review , submission of copies of the pleadings in the state court litigation matters that the certain Chapter 11 professionals were seeking fees for, examination of the professionals regarding the fees requested and services performed at a further evidentiary hearing and further opportunities for the professionals to explain the necessity, reasonableness and benefit of their services). However, considering the totality of the circumstances of the case, the joint stipulation addresses the court's concerns, and the court is satisfied that based on the settlement of these disputes by the parties to the stipulation, which and who are the major stakeholders in the case, is fair and reasonable and should be approved subject to the following modification of paragraph 9 of the stipulation regarding the effect of the stipulation if the California Franchise Tax Board fails to execute the stipulation, the proposed 25% reallocated proceeds from the Chapter 11 administrative professionals will not be reallocated, but the court will conduct further review of the proposed distributions under the Chapter 7 trustee's amended final report and the proposed distributions to the professionals will be subject to further order of the court. Otherwise, the court will approve the fee applications of the Chapter 7 trustee and professionals and the Chapter 11 professionals for the reasons stated in the applications, the joint stipulation of the parties and the lack of any other outstanding objection, and set further hearings on the applications pending the expiration of the 15 day period of the California Franchise Tax Board to decide to give final authorization to the joint stipulation.

Updated tentative ruling as of 4/24/20. Because the court anticipates that this will be a lengthy hearing in the Adelman case on the trustee's final report and fee application and the fee applications of the estate professionals, given the voluminous papers and the remaining opposition of the Arrache creditors, the court will call the various Adelman case matters at 3:00 p.m., not at 2:30 p.m., as other matters on the 2:30 p.m. calendar may also require substantial hearing time, but probably not as much as these matters. Counsel and self-represented parties should call in at 3:00 p.m. for the Adelman case matters.

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Chapter 7

Because the pending fee application is voluminous, the large amount of fees requested by applicant and other applicants, minimal, if any, distributions on unsecured claims, the remaining opposition to the application by the Arrache creditors, who had joined the now withdrawn omnibus opposition of creditor Navigators Specialty Insurance Company, but have not withdrawn their opposition, and the fact that the currently assigned judge is not generally familiar with the services for which fees are requested as such services were rendered before he was involved in the case and the court requires the applicant and the objecting parties to appear and address the standards that guide the court's independent review and determination of the fee application pursuant to 11 U.S.C. § 330 as discussed herein. It would help that the parties cite to specific pages of their papers in addressing these standards, so the court can make appropriate determinations that the standards have or have not been met. Applicant has the burden to demonstrate the fees it claims under 11 U.S.C. § 330 are reasonable. In re Basham, 208 B.R. 926, 931-932 (9th Cir. BAP 1997), citing, Hensley v. Eckerhart, 461 U.S. 424, 437 (1983) ("[F]ee applicant bears the burden of establishing entitlement to an award and documenting the appropriate hours expended and hourly rates.").

In order to approve claimed compensation of a professional on the pending fee application, it is necessary for the court to determine whether such services were reasonable, actual, and necessary pursuant to 11 U.S.C. § 330(a)(1)(A) and to consider whether the services rendered were "reasonably likely to benefit the debtor's estate" pursuant to 11 U.S.C. § 330(a)(4)(A). In re Mednet, 251 B.R. 103, 107-109 (9th Cir. BAP 2000). A bankruptcy court also must examine the circumstances and the manner in which services are performed and the results achieved in order to arrive at a determination of a reasonable fee allowance. Id. at 108. Such examination, in general, should include the following questions: First, were the services authorized? Id. at 108. Second, were the services necessary or beneficial to the administration of the estate at the time they were rendered? Id. Third, are the services adequately documented? Fourth, are the fees requested reasonable, taking into consideration the factors set forth in 11 U.S.C. § 330(a)(3)? Id., citing Unsecured Creditors' Committee v. Puget Sound Plywood, Inc., 924 F.2d 955, 957-58 (9th Cir.1991). Finally, in making this determination, the court must take into consideration whether the professional exercised reasonable billing judgment. Id. (footnote omitted). As stated in In re Riverside-Linden

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Chapter 7

Investment Co., 925 F.2d 320, 321 (9th Cir.1991), "[w]hen a cost benefit analysis indicates that the only parties who will likely benefit from [a service] are the trustee and his professionals," the service is unwarranted and a court does not abuse its discretion in denying fees for those services (citation and internal quotation marks omitted). Id at 108-109.

The factors under 11 U.S.C. § 330(a)(3) are: In determining the amount of reasonable compensation to be awarded, the court shall consider the nature, the extent, and the value of such services, taking into account all relevant factors, including—(A) the time spent on such services; (B) the rates charged for such services; (C) whether the services were necessary to the administration of, or beneficial at the time at which the service was rendered toward the completion of, a case under this title [the Bankruptcy Code, 11 U.S.C.]; (D) whether the services were performed within a reasonable amount of time commensurate with the complexity, importance, and nature of the problem, issue, or task addressed; and (E) whether the compensation is reasonable based on the customary compensation charged by comparably skilled practitioners in cases other than cases under this title.

Appearances are required on 4/28/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues all hearings on the

**United States Bankruptcy Court
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Chapter 7

Trustee's Final Report, Docket No. 1358, and Applications for Fees and Expenses, Docket Nos. 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, in this bankruptcy case scheduled for March 24, 2020 at 2:30 p.m. The court on its own motion continues these hearings to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearings are continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Fred Matthew Adelman

Represented By
Gary E Devlin
Dare Law

Movant(s):

SL Biggs

Pro Se

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
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2:30 PM

2:15-15952 Fred Matthew Adelman

Chapter 7

#34.00 Cont'd hearing re: Application for fees and expenses
[Navigators Specialty Insurance Company, Prior Chapter Administrative Expenses]
fr. 3/24/20

Docket 1358

Tentative Ruling:

Updated tentative ruling as of 4/24/20. The allowance of the administrative expense claim of Navigators Specialty Insurance Agency has already been determined by the court's order approving the trustee's motion to compromise Navigators's claim on 10/23/18 (ECF 1298). Appearances are optional on 4/28/20, but counsel and self-represented parties may appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues all hearings on the Trustee's Final Report, Docket No. 1358, and Applications for Fees and Expenses, Docket Nos. 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345,

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2:30 PM

CONT... Fred Matthew Adelman Chapter 7

1346, in this bankruptcy case scheduled for March 24, 2020 at 2:30 p.m. The court on its own motion continues these hearings to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearings are continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Fred Matthew Adelman

Represented By
Gary E Devlin
Dare Law

Trustee(s):

Wesley H Avery (TR)

Represented By
Chad V Haes
D Edward Hays
Kristine A Thagard

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2:30 PM

2:17-15007 Eugen Valentin Dietl

Chapter 7

#35.00 Cont'd hearing re: Trustee's final report and account;
Application for fees and expenses
[Wesley H. Avery, Chapter 7 Trustee]
fr. 3/24/20

Docket 364

Tentative Ruling:

Updated tentative ruling as of 4/24/20. Overrule objections of purported interested parties Erik Cooper and John C. Frick for lack of standing since they are not creditors of the estate or other parties in interest and approve final fee application of accountant for trustee for reasons stated in the application and for lack of timely written objection by a party in interest. The approval of the final report is subject to the determination of the other fee applications of the estate professionals.

Appearances are required on 4/28/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues all hearings on the Trustee's Final Report, Docket No. 364, and Applications for Fees and

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CONT... Eugen Valentin Dietl Chapter 7

Expenses, Docket Nos. 358 and 359, in this bankruptcy case scheduled for March 24, 2020 at 2:30 p.m. The court continues these hearings to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearings are continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

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

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2:30 PM

2:17-15007 Eugen Valentin Dietl

Chapter 7

#36.00 Cont'd hearing re: Application for fees and expenses
[Arent Fox LLP, Attorney for Chapter 7 Trustee]
fr. 3/24/20

Docket 359

Tentative Ruling:

Updated tentative ruling as of 4/24/20. The court has entered a tentative ruling on the case docket. Appearances are required on 4/28/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues all hearings on the Trustee's Final Report, Docket No. 364, and Applications for Fees and Expenses, Docket Nos. 358 and 359, in this bankruptcy case scheduled for March 24, 2020 at 2:30 p.m. The court continues these hearings to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if

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2:30 PM

CONT... Eugen Valentin Dietl

Chapter 7

the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearings are continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

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

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2:30 PM

2:17-15007 Eugen Valentin Dietl

Chapter 7

#37.00 Cont'd hearing re: Application for fees and expenses
[Menchaca & Company LLP, Accountant for Chapter 7 Trustee]
fr. 3/24/20

Docket 358

Tentative Ruling:

Updated tentative ruling as of 4/24/20. Approve final fee application of accountant for trustee for reasons stated in the application and for lack of timely written objection. Appearances are optional on 4/28/20, but trustee and applicant may appear by telephone. Trustee or applicant to submit a proposed order within 7 days of hearing.

Prior tentative ruling. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues all hearings on the Trustee's Final Report, Docket No. 364, and Applications for Fees and Expenses, Docket Nos. 358 and 359, in this bankruptcy case scheduled for March 24, 2020 at 2:30 p.m. The court continues these hearings to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearings are continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Eugen Valentin Dietl

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By

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CONT...

Eugen Valentin Dietl

Chapter 7

Aram Ordubegian
Annie Y Stoops
M Douglas Flahaut
Christopher K.S. Wong

**United States Bankruptcy Court
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Hearing Room 1675

2:30 PM

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

Chapter 7

#38.00 Hearing re: Chapter 7 trustee's omnibus objection to: Claim No. 11 - Shaoxing LeiLei Import & Export; Claim No. 12 - Cong Ty Tnhh Anh Chau; Claim No. 13 - Shaoxing Tuchang Knitting Textile; Claim No. 14 - Gia Phu Fashion Company; and Claim No. 15 - Cong Ty May Trinh Vuong

Docket 351

***** VACATED *** REASON: Cont'd from 4/28/20 to 6/2/20 at 2:30 p.m.
per stip & order entered on 4/23/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 6/2/20 at 2:30 p.m. No appearances are required on 4/28/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

**United States Bankruptcy Court
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Hearing Room 1675

2:30 PM

2:18-20432 Don Gonzalez

Chapter 7

Adv#: 2:18-01432 Swift Financial, LLC v. Gonzalez

#39.00 Cont'd hearing re: Plaintiff's motion for default judgment under LBR 7055-1
fr. 3/24/20

Docket 23

***** VACATED *** REASON: Cont'd from 4/28/20 to 6/2/20 at 2:30 p.m.
per order entered on 4/17/20-pp**

Tentative Ruling:

Updated tentative ruling as of 4/24/20. Off calendar. The court by prior order on its own motion continues the hearing on the motion to 6/2/20 at 2:30 p.m. No appearances are required on 4/28/20.

Prior tentative ruling. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues the hearing on Plaintiff's Motion for Default Judgment, Docket No. 23, in this adversary proceeding and the status conference scheduled for March 24, 2020 at 2:30 p.m. The court on its own motion continues the hearing on the motion and the status conference to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearing on the motion and the status conference are continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Don Gonzalez

Pro Se

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Tuesday, April 28, 2020

Hearing Room 1675

2:30 PM

CONT... Don Gonzalez

Chapter 7

Defendant(s):

Don Gonzalez

Pro Se

Plaintiff(s):

Swift Financial, LLC

Represented By
Daren M Schlecter

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
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Hearing Room 1675

2:30 PM

2:18-20432 Don Gonzalez

Chapter 7

Adv#: 2:18-01432 Swift Financial, LLC v. Gonzalez

#40.00 Cont'd 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 neither listed nor scheduled and known to debtor (11 U.S.C. §523(a)(3); 4) debts incurred through conversion under 11 U.S.C. §523(a)(4); 5) debts incurred through willful and malicious injury to property under 11 U.S.C. § 523(a)(6); 6) objection to discharge under 11 U.S.C. §727(a)(5) fr. 10/15/19, 2/4/20, 3/24/20

Docket 1

***** VACATED *** REASON: Cont'd from 4/28/20 to 6/2/20 at 2:30 p.m.
per order entered on 4/17/20-pp**

Tentative Ruling:

Updated tentative ruling as of 4/24/20. Off calendar. The court by prior order on its own motion continues the status conference on the motion to 6/2/20 at 2:30 p.m. No appearances are required on 4/28/20.

Prior tentative ruling as of 3/17/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues the hearing on Plaintiff's Motion for Default Judgment, Docket No. 23, in this adversary proceeding and the status conference scheduled for March 24, 2020 at 2:30 p.m. The court on its own motion continues the hearing on the motion and the status conference to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearing on the motion and the status conference are continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

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2:30 PM

CONT...

Don Gonzalez

Chapter 7

Prior tentative ruling as of 2/3/20. Off calendar. Because this is now a default situation, the court on its own motion continues the status conference to 3/24/20 at 2:30 p.m. to be conducted with the hearing on plaintiff's anticipated motion for default judgment. No appearances are required on 2/4/20, 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 10/11/19. No tentative ruling on the merits. Appearances are required on 10/15/19, 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. The court has reviewed plaintiff's unilateral status report. No tentative ruling on the merits. Appearances are required on 2/12/19, but counsel may appear by telephone.

Party Information

Debtor(s):

Don Gonzalez

Pro Se

Defendant(s):

Don Gonzalez

Pro Se

Plaintiff(s):

Swift Financial, LLC

Represented By
Daren M Schlecter

Trustee(s):

Wesley H Avery (TR)

Pro Se

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Hearing Room 1675

2:30 PM

2:19-10865 Paciencia Lua Parreno

Chapter 7

#41.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Wesley H. Avery, Chapter 7 Trustee]

Docket 46

Tentative Ruling:

Off calendar. In light of the lack of a timely written objection to the trustee's final report and fee application, the court determines that oral argument on the final report and fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written objection as consent to the approval of the final report and fee application pursuant to Local Bankruptcy Rule 9013-1(h), rules on the final report and fee application on the papers, and approves the final report and fee application of trustee for reasons stated in the final report and fee application and for lack of timely written objection. No appearances are required on 4/28/20. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Paciencia Lua Parreno

Represented By
Jeffrey J Hagen

Trustee(s):

Wesley H Avery (TR)

Represented By
Beth Gaschen
David M Goodrich

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Tuesday, April 28, 2020

Hearing Room 1675

2:30 PM

2:19-20372 Lance Stuart Moreland and Care Jo Moreland

Chapter 7

#42.00 Cont'd hearing re: Trustee's: (i) objection to debtors' exemption as to vehicle [2014 Honda Pilot], and (ii) demand for turnover of non-exempt properties of the bankruptcy estate [2013 Toyota Corolla & 6 bank accounts]
fr. 3/24/20

Docket 21

Tentative Ruling:

Updated tentative ruling as of 4/24/20. Treat trustee's objection to debtors' exemptions as to the 2014 Honda Pilot as a tool of the trade and 2013 Toyota Corolla as an exempt motor vehicle and demand for turnover of nonexempt property as a contested matter under FRBP 9014 because there are disputed material issues of fact relating to whether the Honda Pilot is a tool of the trade of debtor husband and the valuation of the motor vehicles claimed as exempt. Overrule debtors' opposition that trustee's objection is untimely because the meeting of creditors under 11 U.S.C. 341(a) was continued with specific adjournment date and the objection was timely under FRBP 4003(b) within 30 days of the conclusion of the last scheduled meeting of creditors. In re Bernard, 40 F.3d 1028, 1031 (9th Cir. 1994). In re Smith, 235 F.3d 472 (9th Cir. 2000) is inapplicable because there was no open-ended adjournment of the meeting of creditors in this case. The objecting party has the burden of proving that the exemption is not properly claimed. FRBP 4003(c). If the objecting party can produce evidence sufficient to rebut the presumption of validity, the burden of production shifts to the debtor to provide unequivocal evidence to demonstrate that the exemption is proper. In re Diaz, 547 B.R. 329, 336 (9th Cir. BAP 2016). The burden of proof is substantive, not procedural; therefore, the burden of proof should be borne by the same party who would bear the burden outside the bankruptcy (i.e, debtors). Raleigh v. Illinois Department of Revenue, 530 U.S. 15, 20-21 (2000). See also In re Pashenee, 531 B.R. 834, 837 (Bankr.E.D.Cal. 2015). State law applies in an objection to an exemption because CA mandates the use of state exemptions. In re Diaz, 547 B.R. at 337. Under California law, the exemption claimant has the burden of proof. California Code of Civil Procedure

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Hearing Room 1675

2:30 PM

CONT...

Lance Stuart Moreland and Care Jo Moreland

Chapter 7

703.580(b). Here, the trustee has sufficiently rebutted the presumption of validity based on evidence of debtor husband's other employment and lack of commercial vehicle insurance coverage for the Honda Pilot, therefore debtors have the burden of proof for the claimed exemptions. Whether the Honda Pilot is a tool of the trade is a factual issue under California Code of Civil Procedure 704.060(a)(1). See *In re Garcia*, 451 B.R. 909, 917 (C.D. Cal. 2011). To determine whether a vehicle is a tool of the trade, the proper inquiry is whether or not the vehicle is used by and is necessary to a debtor for his work, trade or occupation. *Id.* at 918 (citations omitted). Whether the vehicle is used in a debtor's trade is a question of fact. *Id.* (citation omitted). Even if the Honda Pilot is an exempt tool of the trade, the exemption amount is limited to \$4,850 under California Code of Civil Procedure 704.060(d) and may be disallowed since the Toyota Corolla is being claimed as an exempt motor vehicle which could be reasonably used as debtor's tool of the trade pursuant to California Code of Civil Procedure 704.060(c). The current limit for a motor vehicle exemption as adjusted for cost of living under California Code of Civil Procedure 704.010(a) is \$3,325, and to the extent that the Toyota Corolla exceeds that amount, such value is nonexempt. The CarMax valuations provided by debtors for the Honda Pilot and Toyota Corolla are not competent and credible evidence of valuation since such valuations lack evidentiary foundation under FRE 602, 702, 801-802 and 901. Grant trustee's unopposed request for turnover of nonexempt bank account funds. Set for an evidentiary hearing to resolve factual disputes.

Appearances are required on 4/28/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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2:30 PM

CONT... Lance Stuart Moreland and Care Jo Moreland

Chapter 7

Prior tentative ruling. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues the hearing on the contested matter of the Chapter 7 Trustee's: (i) Objection to Debtors' Exemption as to Vehicle [2014 Honda Pilot], and (ii) Demand for Turnover of Non-exempt Properties of the Bankruptcy Estate [2013 Toyota Corolla & 6 Bank Accounts], Docket No. 21, in this bankruptcy case scheduled for March 24, 2020 at 2:30 p.m. The court continues the hearing on this contested matter to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearing is continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Lance Stuart Moreland

Represented By
Louis J Esbin

Joint Debtor(s):

Care Jo Moreland

Represented By
Louis J Esbin

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

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Tuesday, April 28, 2020

Hearing Room 1675

2:30 PM

2:19-20416 Susie L Wong

Chapter 7

#43.00 Hearing re: Motion to avoid lien under 11 U.S.C. §522(f) (real property) with Sequoia Concepts, Inc. dba Sequoia Financial Services

Docket 41

Tentative Ruling:

Updated and revised tentative ruling as of 4/27/20. Off calendar. The court on its own motion vacates the hearing on Debtor Susie Wong's motion to avoid the lien of Sequoia Concepts, Inc., set for hearing before the court on April 28, 2020 at 2:30 p.m. because Debtor filed an amended motion which supersedes the original motion set for hearing. Although Debtor did not notice the amended motion for hearing, the court sets the amended motion for hearing before the court on May 26, 2020 at 1:30 p.m. because the original motion was a contested matter under Federal Rule of Bankruptcy Procedure 9014 and the amended motion is likely to be a contested matter under Rule 9014. Any opposition to the amended motion must be filed and served no later than May 12, 2020, and any reply thereto must be filed and served no later than May 19, 2020. The hearing on Debtor's amended motion to avoid the lien of Sequoia Concepts, Inc., is set for hearing before the court on May 26, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012. However, counsel and the parties must appear by telephone on May 26, 2020 in accordance with the court's telephone appearance procedures posted online on the court's website because the federal courthouses in this judicial district, including the Roybal Federal Building, are closed to the public for in person hearings until June 1, 2020 by order of the United States District Court for the Central District of California. No appearances are required on April 28, 2020. A written order will be issued adopting these rulings on April 28, 2020, but was not issued earlier to technical problems with the court's order processing system.

Prior tentative ruling as of 4/24/20 (now superseded): Treat as a contested matter under FRBP 9014 because there is material factual dispute over valuation. However, the evidence in support of the papers of both sides are deficient. Debtor lacks sufficient evidence of valuation of the liens against the

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2:30 PM

CONT...

Susie L Wong

Chapter 7

property, and debtor's valuation opinion is based on the pending sale of the property by the Chapter 7 Trustee, which is not substantiated by authenticated copies of the broker's listing, the offer at \$770,000 and the escrow papers. There is insufficient evidence of the tax liens, such as recorded copies of notices of tax lien and account information from the taxing authorities showing the amounts due as of the petition date. The submitted evidence in the preliminary title report for valuation of the tax liens is inadmissible hearsay and lacks authentication and is not based on personal knowledge under FRE 602, 801-803, and 901. Creditor's valuation is based on the valuation opinion of its attorney, who has not been shown to be qualified to give an expert opinion. The valuation testimony on both sides is not competent in the court's view. While the court could now set an evidentiary hearing which would be expensive, in the court's view, it is more cost effective to defer a ruling on the motion until the property is sold by the trustee and have the senior undisputed liens paid off, and have the remaining funds that may be attributable to the creditor's lien held by the trustee pending further order of the court. There does not seem to be any point incurring litigation expenses for this dispute now if we do not know if there will be any sales proceeds to apply to this disputed lien anyway. If debtor can substantiate valuation at \$770,000 and unavoided liens with an aggregate value of \$724,531.43 senior to creditor's lien, it would appear based on such a showing (though yet to be made with admissible evidence) that there would be no equity for creditor's lien to attach considering the claimed homestead exemption of \$175,000.

Appearances are required on 4/28/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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2:30 PM

CONT... Susie L Wong

Chapter 7

Party Information

Debtor(s):

Susie L Wong

Represented By
Chi L Ip

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
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Wednesday, April 29, 2020

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. 9/11/19, 1/15/20, 4/29/20

Docket 203

Tentative Ruling:

Updated tentative ruling as of 4/27/20. No tentative ruling on the merits. Appearances are required on 4/29/20 to discuss status of this case, including the status of debtor's notice of motion and motion for final decree, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/18/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues the status conference in this bankruptcy case scheduled for March 25, 2020 at 11:00 a.m. The court on its own motion continues the status conference to April 29, 2020 at 11:00 a.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 25, 2020 at 11:00 a.m. as the status conference is continued to April 29, 2020 at 11:00 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California

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Wednesday, April 29, 2020

Hearing Room 1675

11:00 AM

CONT... Barbara Jo Baiz Rodriguez
90012.

Chapter 11

Prior tentative ruling as of 1/13/20. No tentative ruling on the merits.
Appearances are required on 1/15/20.

Prior tentative ruling as of 9/9/19. No tentative ruling on the merits.
Appearances are required on 9/11/19.

Prior tentative ruling as of 5/28/19. No tentative ruling on the merits.
Appearances are required on 5/29/19.

Prior tentative ruling as of 1/28/19. No tentative ruling on the merits.
Appearances are required on 1/30/19, 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 10/1/18. 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

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CONT... Barbara Jo Baiz Rodriguez

Chapter 11

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 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.

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CONT... Barbara Jo Baiz Rodriguez

Chapter 11

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 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.

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CONT... Barbara Jo Baiz Rodriguez

Chapter 11

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

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11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#2.00 Cont'd status conference re: Management of chapter 11 case
fr. 6/26/19, 10/16/19, 2/19/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/27/20. No tentative ruling on the merits. Appearances are required on 4/29/20 to discuss status of this case, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 2/18/20. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 2/19/20, 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 10/15/19. No tentative ruling on the merits. Appearances are required on 10/16/19, 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 6/24/19. No tentative ruling on the merits. Appearances are required on 6/26/19, but counsel may appear by telephone.

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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

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11:00 AM

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. 8/14/19, 10/2/19, 2/19/20

Docket 390

Tentative Ruling:

Updated tentative ruling as of 4/27/20. Off calendar. The court on its own motion continues the hearing on this contested matter since settlement is pending (i.e., the court granted the motion to approve a compromise of this dispute, but there is a pending objection to the form of order) to 5/20/20 at 11:00 a.m. to be heard with another contested matter in this case. No appearances are required on 4/29/20.

Prior tentative ruling as of 2/18/20. No tentative ruling on the merits. Appearances are required on 2/19/20, 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 9/30/19. No tentative ruling on the merits. Appearances are required on 10/2/19, 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 9/16/19. No tentative ruling on the merits. Appearances are required on 9/18/19, 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 8/13/19. No tentative ruling on the merits. Appearances are required on 8/14/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/10/19. No tentative ruling on the merits. Appearances are required on 6/12/19, but counsel and self-represented

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CONT... Curtis C. Magleby

Chapter 11

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 4/22/19. No tentative ruling on the merits. Appearances are required on 4/23/19, but counsel may appear by telephone.

Prior tentative ruling as of 4/16/19. No tentative ruling on the merits. Appearances are required on 4/17/19, but counsel may appear by telephone.

Prior tentative ruling as of 4/9/19. No tentative ruling on the merits. Appearances are required on 4/10/19, but counsel may appear by telephone.

Prior tentative ruling as of 3/11/19. No tentative ruling on the merits. Appearances are required on 3/13/19, but counsel may appear by telephone.

Prior tentative ruling as of 3/4/19. No tentative ruling on the merits. Appearances are required on 3/6/19, but counsel may appear by telephone.

Prior tentative ruling as of 2/25/19. In the papers filed by debtor and creditor Cindy Magleby in response to the court's order to show cause re: dismissal or conversion, although these parties did not agree on whether the case should be dismissed, they both indicated a willingness to have the family law court adjudicate the merits of Mrs. Magleby's claims as well as other family law issues with possible availability for trial in June 2019. There is also a possibility of further settlement efforts in the family law court as indicated by counsel for Mrs. Magleby as reflected in the transcript of hearing before that court in December 2019. The court encourages the parties to pursue their settlement discussions with the family law court and is amenable to having the family law court adjudicate the merits of Mrs. Magleby's claims if this is supported by the parties and the availability of that court to try these matters expeditiously. In that regard, the court would consider a proposed stipulated order clarifying stay relief to allow the family law court to try the claims and issues agreed upon by the parties, including the claims being objected to in this contested matter. Appearances are required on 2/27/19.

Prior 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

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CONT... Curtis C. Magleby

Chapter 11

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.

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

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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

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11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#4.00 Cont'd hearing re: Disclosure statement
fr. 8/14/19, 10/2/19, 2/19/20

Docket 174

Tentative Ruling:

Updated tentative ruling as of 4/27/20. Off calendar. The court on its own motion continues the hearing on this contested matter since settlement is pending (i.e., the court granted the motion to approve a compromise of this dispute, but there is a pending objection to the form of order) to 5/20/20 at 11:00 a.m. to be heard with another contested matter in this case. No appearances are required on 4/29/20.

Prior tentative ruling as of 2/18/20. No tentative ruling on the merits. Appearances are required on 2/19/20, 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 9/30/19. No tentative ruling on the merits. Appearances are required on 10/2/19, 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 9/16/19. No tentative ruling on the merits. Appearances are required on 9/18/19, 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 8/13/19. According to debtor, the hearing on the disclosure statement should be continued for him to make revisions. No tentative ruling on the merits. Appearances are required on 8/14/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/10/19. No tentative ruling on the merits. Appearances are required on 6/12/19, but counsel and self-represented

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CONT... Curtis C. Magleby

Chapter 11

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 4/22/19. No tentative ruling on the merits. Appearances are required on 4/23/19, but counsel may appear by telephone.

Prior tentative ruling as of 4/16/19. No tentative ruling on the merits. Appearances are required on 4/17/19, but counsel may appear by telephone.

Prior tentative ruling as of 4/9/19. No tentative ruling on the merits. Appearances are required on 4/10/19, but counsel may appear by telephone.

Prior tentative ruling as of 3/4/19. No tentative ruling on the merits. Appearances are required on 3/6/19, but counsel may appear by telephone.

Prior tentative ruling as of 2/25/19. No tentative ruling on the merits. Appearances are required on 2/27/19, but counsel may appear by telephone.

Prior tentative ruling as of 2/25/19. No tentative ruling on the merits. Appearances are required on 2/27/19, but counsel may appear by telephone.

Prior 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.

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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 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.

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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

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11:00 AM

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. 8/14/19, 10/2/19, 2/19/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/27/20. Off calendar. The court on its own motion continues the hearing on this adversary proceeding since settlement is pending (i.e., the court granted the motion to approve a compromise of this dispute, but there is a pending objection to the form of order) to 5/20/20 at 11:00 a.m. to be heard with another contested matter in the underlying bankruptcy case. No appearances are required on 4/29/20.

Prior tentative ruling as of 2/18/20. No tentative ruling on the merits. Appearances are required on 2/19/20, 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 9/30/19. No tentative ruling on the merits. Appearances are required on 10/2/19, 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 8/13/19. According to debtor, the status conference should be continued in light of the trial in the marital dissolution action scheduled in December 2019. No tentative ruling on the merits. Appearances are required on 8/14/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/10/19. No tentative ruling on the merits. Appearances are required on 6/12/19, 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.

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CONT... Curtis C. Magleby

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Prior tentative ruling as of 4/22/19. No tentative ruling on the merits. Appearances are required on 4/23/19, but counsel may appear by telephone.

Prior tentative ruling as of 4/16/19. No tentative ruling on the merits. Appearances are required on 4/17/19, but counsel may appear by telephone.

Prior tentative ruling as of 4/9/19. No tentative ruling on the merits. Appearances are required on 4/10/19, but counsel may appear by telephone.

Prior tentative ruling as of 3/4/19. No tentative ruling on the merits. Appearances are required on 3/6/19, but counsel may appear by telephone.

Prior tentative ruling as of 2/25/19. No tentative ruling on the merits. If debtor's motion to sell real property is granted, the court should probably set a final hearing on turnover to address issues relating to the sale unless the parties agreeing to conditions of turnover post-sale. Appearances are required on 2/27/19.

Prior 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

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CONT... Curtis C. Magleby

Chapter 11

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.

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
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Wednesday, April 29, 2020

Hearing Room 1675

11:00 AM

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
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Wednesday, April 29, 2020

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. 1/15/20, 2/19/20, 3/25/20

Docket 1

***** VACATED *** REASON: Cont'd from 4/29/20 to 6/3/20 at 11:00 a.m.
per stip & order entered on 3/12/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 4/27/20. Off calendar. Continued by stipulation and order to 6/3/20 at 11:00 a.m. No appearances are required on 4/29/20.

Prior tentative ruling. No tentative ruling on the merits. Appearances are required on 8/28/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. No tentative ruling on the merits. Appearances are required on 6/26/19, 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 29, 2020

Hearing Room 1675

11:00 AM

2:17-17577 Peter G. Kudrave

Chapter 11

#7.00 Cont'd hearing re: U.S. Trustee Motion to dismiss or convert or appoint a Chapter 11 Trustee
fr. 3/11/20

Docket 197

***** VACATED *** REASON: Case dismissed per order entered on 4/22/20
-mb.**

Tentative Ruling:

Off calendar. The court has denied the motion as moot since the bankruptcy case was dismissed by stipulation and order entered on 4/22/20. No appearances are necessary.

Party Information

Debtor(s):

Peter G. Kudrave

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, April 29, 2020

Hearing Room 1675

11:00 AM

2:17-17577 Peter G. Kudrave

Chapter 11

#8.00 Cont'd hearing re: Motion to convert chapter 11 case to chapter 7
fr. 12/4/19, 1/15/20, 3/11/20

Docket 167

***** VACATED *** REASON: Notice of withdrawal filed on 4/22/20-mb.**

Tentative Ruling:

Off calendar. The motion was withdrawn by notice filed on 4/22/20. No appearances are necessary.

Party Information

Debtor(s):

Peter G. Kudrave

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, April 29, 2020

Hearing Room 1675

11:00 AM

2:17-17577 Peter G. Kudrave

Chapter 11

#9.00 Cont'd hearing re: Motion for designation of responsible person under §§105(a) and 1107(a); appointment of successor disbursing agent under §105(a); or designation as proper party under rule 7025
fr. 1/29/20, 3/11/20

Docket 191

***** VACATED *** REASON: Withdrawn per notice filed on 4/2/20-mb.**

Tentative Ruling:

Off calendar. The motion was withdrawn by notice filed on 4/2/20. No appearances are necessary.

Party Information

Debtor(s):

Peter G. Kudrave

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, April 29, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#10.00 Cont'd hearing re: Creditor Baldwin Sun Inc.'s motion to allow late filed claims pursuant to Federal Rules of Bankruptcy Procedure Rule 9006(b) fr. 10/23/19, 2/19/20, 3/25/20

Docket 310

***** VACATED *** REASON: Cont'd from 4/29/20 to 6/3/20 at 11:00 a.m. per stip & order entered on 4/14/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 4/27/20. Off calendar. Continued by stipulation and order to 6/3/20 at 11:00 a.m. No appearances are required on 4/29/20.

Prior tentative ruling. Continued by stipulation and order to 3/25/20 at 11:00 a.m. No appearances are required on 2/19/20.

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
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Wednesday, April 29, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#11.00 Cont'd hearing re: Creditor Gia Phu Inc.'s motion to allow late filed claims pursuant to Federal Rules of Bankruptcy Procedure Rule 9006(b) fr. 10/23/19, 2/19/20, 3/25/20

Docket 312

***** VACATED *** REASON: Cont'd from 4/29/20 to 6/3/20 at 11:00 a.m. per stip & order entered on 4/14/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 4/27/20. Off calendar. Continued by stipulation and order to 6/3/20 at 11:00 a.m. No appearances are required on 4/29/20.

Prior tentative ruling. Continued by stipulation and order to 3/25/20 at 11:00 a.m. No appearances are required on 2/19/20.

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 29, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#12.00 Cont'd hearing re: Creditor Shen-Shaoxing Tuchang Knitting Textile Co., Ltd.'s motion to allow late filed claims pursuant to Federal Rules of Bankruptcy Procedure Rule 9006(b) fr. 10/23/19, 2/19/20, 3/25/20

Docket 316

***** VACATED *** REASON: Cont'd from 4/29/20 to 6/3/20 at 11:00 a.m. per stip & order entered on 4/14/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 4/27/20. Off calendar. Continued by stipulation and order to 6/3/20 at 11:00 a.m. No appearances are required on 4/29/20.

Prior tentative ruling. Continued by stipulation and order to 3/25/20 at 11:00 a.m. No appearances are required on 2/19/20.

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 29, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#13.00 Cont'd hearing re: Creditor Cong Ty May Vietmy's motion to allow late filed claims pursuant to Federal Rules of Bankruptcy Procedure Rule 9006(b) fr. 10/23/19, 2/19/20, 3/25/20

Docket 314

***** VACATED *** REASON: Cont'd from 4/29/20 to 6/3/20 at 11:00 a.m. per stip & order entered on 4/14/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 4/27/20. Off calendar. Continued by stipulation and order to 6/3/20 at 11:00 a.m. No appearances are required on 4/29/20.

Prior tentative ruling. Continued by stipulation and order to 3/25/20 at 11:00 a.m. No appearances are required on 2/19/20.

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 29, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#14.00 Cont'd hearing re: Disclosure statement
fr. 10/23/19, 2/19/20, 3/25/20

Docket 277

***** VACATED *** REASON: Cont'd from 4/29/20 to 6/3/20 at 11:00 a.m.
per stip & order entered on 4/14/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 4/27/20. Off calendar. Continued by stipulation and order to 6/3/20 at 11:00 a.m. No appearances are required on 4/29/20.

Prior tentative ruling. Continued by stipulation and order to 3/25/20 at 11:00 a.m. No appearances are required on 2/19/20.

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 29, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#15.00 Status conference re: Post discovery
fr. 12/11/19, 2/19/20, 3/25/20

Docket 1

***** VACATED *** REASON: Cont'd from 4/29/20 to 6/3/20 at 11:00 a.m.
per stip & order entered on 4/14/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 4/27/20. Off calendar. Continued by stipulation and order to 6/3/20 at 11:00 a.m. No appearances are required on 4/29/20.

Prior tentative ruling. Off calendar. The court on its own motion continues this status conference to be conducted with the related matters in this case on 4/29/20 at 11:00 a.m. No appearances are required on 3/25/20.

Prior tentative ruling. Continued by stipulation and order to 3/25/20 at 11:00 a.m. No appearances are required on 2/19/20.

Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

**United States Bankruptcy Court
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Wednesday, April 29, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#16.00 Cont'd status conference re: Management of chapter 11 case
fr. 2/5/20, 2/19/20, 3/25/20

Docket 1

***** VACATED *** REASON: Cont'd from 4/29/20 to 6/3/20 at 11:00 a.m.
per stip & order entered on 4/14/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 4/27/20. Off calendar. Continued by stipulation and order to 6/3/20 at 11:00 a.m. No appearances are required on 4/29/20.

Prior tentative ruling. Continued by stipulation and order to 3/25/20 at 11:00 a.m. No appearances are required on 2/19/20.

Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

**United States Bankruptcy Court
Central District of California
Los Angeles
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Wednesday, April 29, 2020

Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#17.00 Hearing re: Motion in individual Chapter 11 case for order authorizing use of cash collateral [11 U.S.C. § 363]

Docket 269

Tentative Ruling:

Grant debtor's motion for authorization to use cash collateral for the reasons stated in the moving papers on the following conditions: (1) given the uncertainty regarding debtor's income, use is authorized for 6 months through 10/31/20 to see updated income and expense data to evaluate budget and adequate protection of secured creditors; (2) no impairment of rights of administrative expense claimants Law Offices of Michael Jay Berger and Jennifer Min Liu by this motion since it is improper to impair their rights under this motion dealing with cash collateral of other parties. The use of cash collateral is proper here given the lack of opposition by the secured creditors whose cash collateral is being used and the evidence that such cash collateral is protected by a sufficient equity cushion for such creditors' liens.

Appearances are required on 4/29/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Charles Peters

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, April 29, 2020

Hearing Room 1675

11:00 AM

CONT...

Charles Peters

Frank Edel Blanco
Giovanni Orantes
Luis A Solorzano

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, April 29, 2020

Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#18.00 Cont'd status conference re: Motion for relief from stay
(County of Riverside VS Debtor)
fr. 11/14/19, 2/7/20, 4/15/20

Docket 20

Tentative Ruling:

Updated tentative ruling as of 4/27/20. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the chief judge of the United States District Court for the Central District of California issued an Order of the Chief Judge No. 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, which closure has been extended through June 1, 2020 by announcement on April 13, 2020, and accordingly, the court cannot conduct an in person trial in the courtroom until at least June 1, 2020.

Moreover, the County of Los Angeles and City of Los Angeles have issued public health orders prohibiting public and private gatherings in their jurisdictions until at least May 15, 2020, which are likely to be extended, which orders may apply to the trial. The court scheduled the status conference on 4/29/20 to discuss with the parties how a trial in the matter may be conducted and when possibly it can be scheduled. Given the current surge of coronavirus cases in the court and in the state and the need for appropriate social distancing, it would probably be prudent not to schedule so soon. In this court's view, a trial will not be scheduled earlier than 6/1/20. A court committee is being appointed to consider the conduct of video evidentiary hearings, but whether this is technically feasible and legally proper has not yet determined for this court yet.

Appearances are required on 4/29/20, but counsel and self-represented

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11:00 AM

CONT...

Charles Peters

Chapter 11

parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion must and does vacate the evidentiary hearing for the contested matter of the motion of the Riverside County Treasurer-Tax Collector for relief from the automatic stay in this bankruptcy case scheduled for May 1, 2020 at 10:00 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012 because in person appearances are not permitted in the courthouse on that date. No appearances are required on May 1, 2020 at 10:00 a.m. as the evidentiary hearing on that date is vacated.

The court further on its own motion sets a status conference in this contested matter on April 15, 2020 at 11:00 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012. The purpose of the status conference is to discuss rescheduling the evidentiary hearing on the motion. Because the Roybal Federal Building is closed to the

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Wednesday, April 29, 2020

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11:00 AM

CONT...

Charles Peters

Chapter 11

public on April 15, 2020 by the aforementioned order of the United States District Court, the parties to this contested matter and their counsel must appear telephonically at the status conference in accordance with the court's telephone appearance procedures posted online on the court's website. The court has scheduled the status conference to be conducted with other matters scheduled for hearing in this bankruptcy case on April 15, 2020 at 11:00 a.m.

Prior tentative ruling as of 8/16/19. Off calendar. Continued by stipulation and order to 11/14/19 at 10:00 a.m. No appearances are required on 9/19/19.

Prior 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
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Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#19.00 Cont'd hearing re: Motion for order approving disclosure statement describing chapter 11 plan of reorganization fr. 4/15/20

Docket 257

Tentative Ruling:

Updated tentative ruling as of 4/27/20. No tentative ruling on the merits. Appearances are required on 4/29/20 to discuss the status of this matter, including whether debtor will be filing an amended disclosure statement in light of the current public health emergency, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Giovanni Orantes
Luis A Solorzano

**United States Bankruptcy Court
Central District of California
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Judge Robert Kwan, Presiding
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Wednesday, April 29, 2020

Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#19.10 Cont'd hearing re: Fourth interim application for compensation and reimbursement of expenses of Michael Jay Berger, Period: 6/27/2019 to 11/30/2019, Fee: \$28,214.50, Expenses: \$715.30
fr. 1/19/20, 2/5/20, 4/15/20

Docket 215

Tentative Ruling:

Updated tentative ruling as of 4/27/20. No tentative ruling on the merits. Appearances are required on 4/29/20 to discuss the status of this matter, including whether debtor will be filing a formal objection to the application, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 4/13/20. Off calendar. The court on its own motion continues the hearing on this matter to 4/29/20 at 11:00 a.m. to be heard with the hearing on debtor's disclosure statement. No appearances are required on 4/15/20.

Prior tentative ruling. No tentative ruling on the merits in light of objections to the interim fee application by debtor and creditor James Regan. The court is inclined to defer a ruling on the interim fee application until fee applications of estate professionals are considered on a final basis pursuant to LBR 2016-1(c)(3) and because the estate lacks funds to pay the interim fee application at this time. It seems to the court that it is a better use of litigation

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11:00 AM

CONT... Charles Peters

Chapter 11

resources to litigate the fee application of applicant on a final fee when the case is ready for disposition through the plan confirmation process. Appearances are required on 2/5/20, but counsel and applicant 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
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Wednesday, April 29, 2020

Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#19.20 Cont'd hearing re: Application for payment of interim fees and/or expenses for Jennifer M Liu, accountant
fr. 1/29/20, 2/5/20, 4/15/20

Docket 218

Tentative Ruling:

Updated tentative ruling as of 4/27/20. No tentative ruling on the merits. Appearances are required on 4/29/20 to discuss the status of this matter, including whether debtor will be filing a formal objection to the application, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 4/13/20. Off calendar. The court on its own motion continues the hearing on this matter to 4/29/20 at 11:00 a.m. to be heard with the hearing on debtor's disclosure statement. No appearances are required on 4/15/20.

Prior tentative ruling. Applicant has not shown that the requirement of LBR 2016-1(a)(1)(J) is satisfied that either (1) there is a separately filed declaration from the client indicating that the client has reviewed the application and has no objection to it; or (2) if the client refuses to provide such a declaration, the applicant has filed a declaration describing the steps that were taken to obtain the client's declaration and the client's response thereto. If debtor wants applicant to render services to the estate, debtor should state a position

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Hearing Room 1675

11:00 AM

CONT... Charles Peters

Chapter 11

whether the requested interim fees may be approved and paid. Appearances are required on 2/5/20, but counsel and applicant may appear by telephone.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Michael Jay Berger

**United States Bankruptcy Court
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Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#19.30 Cont'd status conference re: Management of chapter 11 case
fr. 10/2/19, 2/5/20, 4/15/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/27/20. No tentative ruling on the merits. Appearances are required on 4/29/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 4/13/20. Off calendar. The court on its own motion continues the hearing on this matter to 4/29/20 at 11:00 a.m. to be heard with the hearing on debtor's disclosure statement. No appearances are required on 4/15/20.

Prior tentative ruling as of 2/3/20. No tentative ruling on the merits. At least, new proposed counsel for debtor should appear and discuss how debtor plans to proceed with the case. Appearances are required on 2/5/20, but counsel may appear by telephone.

Prior tentative ruling as of 9/30/19. No tentative ruling on the merits. Appearances are required on 10/2/19, but counsel may appear by telephone.

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Hearing Room 1675

11:00 AM

CONT... Charles Peters

Chapter 11

Prior tentative ruling as of 6/24/19. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 6/26/19, 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
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Wednesday, April 29, 2020

Hearing Room 1675

11:00 AM

2:18-14665 Hugo Hernandez

Chapter 11

#20.00 Cont'd status conference re: Post confirmation of plan
fr. 9/18/19, 11/20/19, 3/25/20

Docket 113

Tentative Ruling:

Updated tentative ruling as of 4/27/20. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 4/29/20 to discuss status of this case, including the filing of a motion for final decree, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/18/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues the status conference in this bankruptcy case scheduled for March 25, 2020 at 11:00 a.m. The court on its own motion continues the status conference to April 29, 2020 at 11:00 a.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 25, 2020 at 11:00 a.m. as the status conference is continued to April 29, 2020 at 11:00 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California

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

Wednesday, April 29, 2020

Hearing Room 1675

11:00 AM

CONT... Hugo Hernandez
90012.

Chapter 11

Prior tentative ruling as of 11/18/19. Grant debtor's motion to confirm Chapter 11 reorganization plan for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are required on 11/20/19, but counsel may appear by telephone.

Prior tentative ruling as of 9/16/19. No tentative ruling on the merits. Appearances are required on 9/18/19, but counsel may appear by telephone.

Prior tentative ruling as of 7/15/19. Appearances are required on 7/17/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/10/19. Appearances are required on 6/12/19 regarding scheduling debtor's appearance before the court, but counsel may appear by telephone.

Prior tentative ruling as of 5/28/19. No tentative ruling on the merits. Appearances are required on 5/29/19, but counsel may appear by telephone.

Prior tentative ruling as of 4/16/19. Although the amended disclosure statement is an improvement over the last version, the information is not completely adequate because debtor's listing of business expenses is inadequate and does not state what they are. Debtor should break down what they specifically are, and debtor should provide a historical breakdown of such specific expenses over the last 12 months. The court notes that the expenses are not evenly spread out during the last 12 months, but apparently are large in a few months and small in other months. Since the plan payments are so small, the court believes that it needs to give debtor's expenses close scrutiny, so that meaningful information is given to creditors for voting. Appearances are required on 4/17/19, but counsel may appear by telephone.

Prior tentative ruling. The matter of debtor's motion to value secured claim or lien as to Lending 1st Mortgage, LLC is not yet resolved and needs to be resolved before the case may proceed to plan confirmation. It appears that even though the motion is resolved as to Specialized Loan Servicing by

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Wednesday, April 29, 2020

Hearing Room 1675

11:00 AM

CONT...

Hugo Hernandez

Chapter 11

stipulation and order, the motion is not resolved as to the other lien creditor and that the motion should be renoticed for hearing.

Debtor will have to provide additional information for the disclosure statement relating to: (1) his business expenses for which a detailed statement is required for Schedule I/J, and which was not provided either with the schedule or in Exhibit F; (2) his payments on the first deed of trust, for which there is no detailed breakdown of principal, interest, taxes, and other expenses; (3) and debtor should also provide financial projections for the entire 60-month duration of the plan.

The court will also require that debtor provide a narrative statement about his employment history and future employment prospects and his income producing activities, such as the investment real property and its income prospects, such as rental increases or decreases.

Appearances are required on 1/16/19, 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, April 29, 2020

Hearing Room 1675

11:30 AM

2:12-28426 Chestnut, LLC

Chapter 11

#21.00 Cont'd status conference re: Post confirmation of chapter 11 plan
fr. 11/13/19, 1/29/20, 3/25/20

Docket 59

Tentative Ruling:

Updated tentative ruling as of 4/27/20. No tentative ruling on the merits. Appearances are required on 4/29/20 to discuss status of this case, including the status of the dispute regarding payment of administrative expense claim of counsel for debtor in possession, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/18/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues the status conference in this bankruptcy case scheduled for March 25, 2020 at 11:00 a.m. The court on its own motion continues the status conference to April 29, 2020 at 11:30 a.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 25, 2020 at 11:00 a.m. as the status conference is continued to April 29, 2020 at 11:30 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California

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Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Hearing Room 1675

11:30 AM

**CONT... Chestnut, LLC
90012.**

Chapter 11

Prior tentative ruling as of 1/27/20. No tentative ruling on the merits.
Appearances are required on 1/29/20, but counsel may appear by telephone.

Prior tentative ruling as of 11/11/19. No tentative ruling on the merits.
Appearances are required on 11/13/19, but counsel may appear by
telephone.

Prior tentative ruling as of 9/16/19. No tentative ruling on the merits.
Appearances are required on 9/18/19, but counsel may appear by telephone.

Prior tentative ruling as of 3/11/19. No tentative ruling on the merits.
Appearances are required on 3/13/19, 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, April 29, 2020

Hearing Room 1675

11:30 AM

2:17-21123 JC Fits, Inc.

Chapter 11

#22.00 Cont'd status conference re: Management of chapter 11 case
fr. 10/23/19, 1/29/20, 3/25/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/27/20. No tentative ruling on the merits. Appearances are required on 4/29/20 to discuss status of this case, including the filing of a disclosure statement and plan, which should be soon because this case is over two years old, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/18/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues the status conference in this bankruptcy case scheduled for March 25, 2020 at 11:00 a.m. The court on its own motion continues the status conference to April 29, 2020 at 11:30 a.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 25, 2020 at 11:00 a.m. as the status conference is continued to April 29, 2020 at 11:30 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California

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Central District of California
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Wednesday, April 29, 2020

Hearing Room 1675

11:30 AM

**CONT... JC Fits, Inc.
90012.**

Chapter 11

Prior tentative ruling as of 1/27/20. No tentative ruling on the merits.
Appearances are required on 1/29/20, but counsel may appear by telephone.

Prior tentative ruling as of 10/21/19. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 10/23/19, but counsel may appear by telephone.

Prior tentative ruling as of 8/26/19. No tentative ruling on the merits.
Appearances are required on 8/28/19, but counsel may appear by telephone.

Prior tentative ruling as of 8/13/19. No tentative ruling on the merits.
Appearances are required on 8/14/19, but counsel may appear by telephone.

Prior tentative ruling as of 5/28/19. No tentative ruling on the merits.
Appearances are required on 5/29/19, but counsel may appear by telephone.

Prior tentative ruling as of 2/25/19. No tentative ruling on the merits.
Appearances are required on 2/27/19, but counsel may appear by telephone.

Prior tentative ruling as of 2/4/19. No tentative ruling on the merits.
Appearances are required on 2/6/19, but counsel may appear by telephone.

Prior 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.

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Wednesday, April 29, 2020

Hearing Room 1675

11:30 AM

CONT... JC Fits, Inc.

Chapter 11

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, April 29, 2020

Hearing Room 1675

11:30 AM

2:18-21789 Samuel Marquez

Chapter 11

#23.00 Cont'd status conference re: Objection to claim no.1 filed by the Internal Revenue Service
fr. 9/17/19, 1/14/20, 3/25/20

Docket 39

Tentative Ruling:

Updated tentative ruling as of 4/27/20. The court has reviewed the unilateral status report of the United States on behalf of the Internal Revenue Service. No tentative ruling on the merits. Appearances are required on 4/29/20 to discuss the scheduling of further litigation proceedings in this contested matter, including setting the matter for a final evidentiary hearing, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/18/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues the status conference on the contested matter of Debtor's objection to Claim No. 1 of the Internal Revenue Service in this bankruptcy case scheduled for March 25, 2020 at 11:00 a.m. The court on its own motion continues the status conference on this contested matter to April 29, 2020 at 11:30 a.m. The court may issue a further order regarding scheduling if the

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Hearing Room 1675

11:30 AM

CONT...

Samuel Marquez

Chapter 11

public health threat does not subside. No appearances are required on March 25, 2020 at 11:00 a.m. as the status conference on this contested matter is continued to April 29, 2020 at 11:30 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Prior tentative ruling as of 9/16/19. No tentative ruling on the merits. Appearances are required on 9/17/19, but counsel may appear by telephone.

Prior tentative ruling as of 7/15/19. The court has reviewed the joint status report. Appearances are required on 7/16/19, 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
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Courtroom 1675 Calendar**

Wednesday, April 29, 2020

Hearing Room 1675

11:30 AM

2:19-10596 Robert David Katz and Roslyn Soudry Katz

Chapter 11

#24.00 Hearing re: Motion of SulmeyerKupetz, APC to be Relieved as
Counsel of Record [Local Bankruptcy Rule 2091-1(a) and 2091-1(c)(3)]

Docket 314

Tentative Ruling:

The court is inclined to grant the motion as there is no written opposition. Debtor Roslyn Katz should appear and advise that she is representing herself from now on if debtors are not being represented by counsel. Appearances required on 4/29/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Robert David Katz

Represented By
Victor A Sahn
Steven Werth
Cathy Ta
Mark M Sharf

Joint Debtor(s):

Roslyn Soudry Katz

Represented By
Victor A Sahn
Steven Werth
Cathy Ta

**United States Bankruptcy Court
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Wednesday, April 29, 2020

Hearing Room 1675

11:30 AM

**CONT... Robert David Katz and Roslyn Soudry Katz
Mark M Sharf**

Chapter 11

Movant(s):

SulmeyerKupetz APC

Represented By
Cathy Ta
Victor A Sahn

**United States Bankruptcy Court
Central District of California
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Wednesday, April 29, 2020

Hearing Room 1675

11:30 AM

2:19-10596 Robert David Katz and Roslyn Soudry Katz

Chapter 11

#25.00 Cont'd hearing re: First and final fee application of Stapke Law LLP, special litigation counsel for debtors
fr. 3/25/20

Docket 309

Tentative Ruling:

Updated tentative ruling as of 4/27/20. The requirement of LBR 2016-1(a)((1) (J) and (c)(2) that applicant submit a declaration from the clients that they have no objection or describing the steps taken to obtain the clients' declaration and their response thereto has not been met because the application lacks specific details as to the steps taken to obtain the clients' declaration and their response thereto. A more specific declaration describing these steps needs to be filed. The application seeks compensation for work outside the scope of authorized employment for the work performed regarding the action against Capital One in the amount of \$2,029.00, and either applicant should file a supplemental motion to include this work within the authorized scope of employment or obtain debtors' written consent to compensation for this work.

Appearances are required on 4/29/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public

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Wednesday, April 29, 2020

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11:30 AM

CONT... Robert David Katz and Roslyn Soudry Katz Chapter 11

health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues all hearings on the Applications for Fees and Expenses, Docket Numbers 308 and 309, in this bankruptcy case scheduled for March 25, 2020 at 11:00 a.m. The court on its own motion continues these hearings to April 29, 2020 at 11:30 a.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 25, 2020 at 11:00 a.m. as the hearings are continued to April 29, 2020 at 11:30 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Robert David Katz

Represented By
Victor A Sahn
Steven Werth
Cathy Ta

Joint Debtor(s):

Roslyn Soudry Katz

Represented By
Victor A Sahn
Steven Werth
Cathy Ta

**United States Bankruptcy Court
Central District of California
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Hearing Room 1675

11:30 AM

2:19-10596 Robert David Katz and Roslyn Soudry Katz

Chapter 11

#26.00 Cont'd hearing re: Second and final fee application of SulmeyerKupetz, a professional corporation general bankruptcy counsel for debtors fr. 3/2520

Docket 308

Tentative Ruling:

Updated tentative ruling as of 4/27/20. It appears that debtors do not object to the fees requested in the applicant's second and final fee application in stating in their response to the application: "The Debtors do not object to the general relief prayed for in the Fee Application and do not hereby do so." However, debtors indicate that there are issues regarding their ability to make payments of the fees pursuant to the plan and request that the court direct them and applicant to attend mediation to resolve these issues. As to the supplemental fees requested in applicant's reply on 4/22/20, it is improper for applicant to request newly requested fees in a reply which violates LBR 9013-1(g) providing that "New arguments or matters raised for the first time in reply documents will not be considered." This is unfair and burdensome for the court and debtors to review and respond to such supplemental fees raised for the first time in the reply. If applicant seeks payment of the supplemental fees requested in the reply, the court will have to continue the hearing on the application to consider the supplemental fees. The court is of the view that mediation is a good idea to resolve the payment issues as a matter of practicality at this time before getting into a determination of plan compliance interpreting the plan as to payment of fees based on the sufficiency of debtors' funds on hand.

Appearances are required on 4/29/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel

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Wednesday, April 29, 2020

Hearing Room 1675

11:30 AM

CONT... **Robert David Katz and Roslyn Soudry Katz**

Chapter 11

and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues all hearings on the Applications for Fees and Expenses, Docket Numbers 308 and 309, in this bankruptcy case scheduled for March 25, 2020 at 11:00 a.m. The court on its own motion continues these hearings to April 29, 2020 at 11:30 a.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 25, 2020 at 11:00 a.m. as the hearings are continued to April 29, 2020 at 11:30 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Robert David Katz

Represented By
Victor A Sahn
Steven Werth
Cathy Ta

Joint Debtor(s):

Roslyn Soudry Katz

Represented By
Victor A Sahn
Steven Werth
Cathy Ta

**United States Bankruptcy Court
Central District of California
Los Angeles
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Courtroom 1675 Calendar**

Wednesday, April 29, 2020

Hearing Room 1675

1:30 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01158 Carter et al v. Martinez

#27.00 Cont'd status 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. 8/27/19, 10/22/19, 2/11/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/27/20. Off calendar. Having considered the joint status report filed on 4/23/20 representing that the state court criminal proceedings are still pending with a further hearing on 5/27/20, the court continues the status conference on its own motion to 6/9/20 at 1:30 p.m. No appearances are required on 4/29/20, and counsel for plaintiff is ordered to give notice to counsel for defendant.

Prior tentative ruling as of 2/11/20. The court has reviewed the parties' joint status update. No tentative ruling on the merits. Appearances are required on 2/11/20, but counsel may appear by telephone.

Prior tentative ruling as of 10/21/19. No tentative ruling on the merits. Appearances are required on 10/22/19, but counsel may appear by telephone.

Prior tentative ruling as of 8/27/19. The court has reviewed the explanation of counsel for plaintiffs dated 4/17/17, but filed on 8/26/19, requesting a continuance of the pretrial conference for about 45 days pending the outcome of the preliminary hearing in the state court criminal case against defendant. Appearances are required on 8/27/19 to discuss scheduling of further proceedings in light of the pending criminal case against defendant, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. No tentative ruling on the merits. Appearances are required on 6/25/19, but counsel may appear by telephone.

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Hearing Room 1675

1:30 PM

CONT... Anthony Roy Martinez

Chapter 7

Prior tentative ruling as of 2/4/18. No tentative ruling on the merits. Appearances are required on 2/5/19, but counsel may appear by telephone.

Prior 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.

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
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Wednesday, April 29, 2020

Hearing Room 1675

1:30 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
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Hearing Room 1675

1:30 PM

CONT... Anthony Roy Martinez

Chapter 7

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

Thursday, April 30, 2020

Hearing Room 1675

11:00 AM

2:17-21018 Prototype Engineering & Manufacturing, Inc.

Chapter 7

Adv#: 2:19-01332 Avery et al v. Leya Technologies, LLC et al

#1.00 Cont'd hearing re: Motion to expunge lis pendens
fr. 3/31/20, 4/14/20

Docket 63

Tentative Ruling:

Updated tentative ruling as of 4/27/20. No tentative ruling on the merits. The court does not intend to issue a tentative ruling for this matter since it feels that it would benefit hearing the argument of the parties without posting a tentative ruling. Appearances are required on 4/29/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Revised tentative ruling as of 4/10/20. Off calendar. The court on its own motion continues the hearing on this matter to 4/30/20 at 11:00 a.m. by prior order. No appearances are required on 4/14/20.

Party Information

Debtor(s):

Prototype Engineering &

Represented By
Carol Chow

Defendant(s):

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

Thursday, April 30, 2020

Hearing Room 1675

11:00 AM

CONT... Prototype Engineering & Manufacturing, Inc. Chapter 7

Leya Technologies, LLC	Represented By Brian L Davidoff
Bahram Bordbar	Represented By Brian L Davidoff
Malahat Bordbar	Represented By Brian L Davidoff
Sara Bordbar	Represented By Brian L Davidoff

Plaintiff(s):

Wesley H Avery	Represented By Carmela Pagay Irving M Gross
Jon and Maria Ternstrom	Represented By Kevin M Davis Todd E Phillips
Cameron and Michelle Witzler	Represented By Kevin M Davis Todd E Phillips
Colette Carpenter, both individually	Represented By Kevin M Davis Todd E Phillips

Trustee(s):

Wesley H Avery (TR)	Represented By Timothy J Yoo Carmela Pagay Lindsey L Smith Irving M Gross
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, April 30, 2020

Hearing Room 1675

11:00 AM

2:17-21018 Prototype Engineering & Manufacturing, Inc.

Chapter 7

Adv#: 2:19-01332 Avery v. Leya Technologies, LLC et al

- #2.00** Cont'd status conference re: Plaintiff's complaint for: (1) avoidance of actual fraudulent transfers; (2) avoidance of constructive fraudulent transfers; (3) recovery of avoided transfers; (4) breach of fiduciary duty; (5) recovery of prohibited distributions; (6) unjust enrichment; (7) aiding and abetting breach of fiduciary duty; and (8) substantive consolidation of certain defendants with the debtor's estate
fr. 12/10/19, 2/18/20, 4/14/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/27/20. No tentative ruling on the merits. Appearances are required on 4/30/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Revised tentative ruling as of 4/10/20. Off calendar. The court on its own motion continues the hearing on this matter to 4/30/20 at 11:00 a.m. to be heard with the continued hearing on defendants' motion to expunge lis pendens. No appearances are required on 4/14/20.

Prior tentative ruling as of 2/17/20. The court has reviewed the joint status report filed on 2/11/20. No tentative ruling on the merits. Appearances are required on 2/18/20, but counsel may appear by telephone.

Prior tentative ruling as of 12/9/19. Off calendar. The court is preparing a

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

Thursday, April 30, 2020

Hearing Room 1675

11:00 AM

CONT... Prototype Engineering & Manufacturing, Inc. Chapter 7

written order on the motion to dismiss and will continue the status conference to another date. No appearances are required on 12/10/19.

Prior tentative ruling as of 12/2/19. No tentative ruling on the merits. Appearances are required on 12/3/19, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report, noting that pending motions of defendants to dismiss certain claims and motion of third parties to substitute or intervene were noticed for hearing on 11/12/19 at 2:30 p.m. and suggesting that the status conference be continued to that date or some date after. The court takes judicial notice that it had ordered that the hearing on the motion to dismiss as amended in light of the amended complaint was continued to 12/3/19 at 2:30 p.m. Accordingly, the court on its own motion continues the status conference to 12/3/19 at 2:30 p.m. to be conducted with the hearing on the motion to dismiss claims of the amended complaint now set for 12/3/19 at 2:30 p.m. because the ruling on the motion may have an impact on the status of the matter. No appearances are required on 11/5/19.

Party Information

Debtor(s):

Prototype Engineering &

Represented By
Carol Chow

Defendant(s):

Leya Technologies, LLC

Pro Se

Bahram Bordbar

Pro Se

Malahat Bordbar

Pro Se

Sara Bordbar

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
Carmela Pagay

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

Thursday, April 30, 2020

Hearing Room 1675

11:00 AM

CONT... Prototype Engineering & Manufacturing, Inc.

Chapter 7

Trustee(s):

Wesley H Avery (TR)

Represented By
Timothy J Yoo
Carmela Pagay
Lindsey L Smith
Irving M Gross

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

Friday, May 1, 2020

Hearing Room 1675

10:00 AM

2:18-13759 Charles Peters

Chapter 11

#1.00 EVIDENTIARY HEARING RE: Motion for relief from stay
(County of Riverside VS Debtor)
fr. 9/19/19, 11/14/19, 2/7/20

Docket 20

***** VACATED *** REASON: Trial vacated and set for status conference,
now cont'd to 4/29/20 at 11:00 a.m. per order entered on 4/3/20-mb.**

Courtroom Deputy:

**[Cont'd status conference from 4/15/20 to 4/29/20 at 11:00 a.m. per stip & order
entered on 4/3/20]**

Tentative Ruling:

Updated tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the chief judge of the United States District Court for the Central District of California issued an Order of the Chief Judge No. 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion must and does vacate the evidentiary hearing for the contested matter of the motion of the Riverside County Treasurer-Tax Collector for relief from the automatic stay in this bankruptcy case scheduled for May 1, 2020 at 10:00 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012 because in person appearances are not permitted in the courthouse on that date. No appearances are required on May 1, 2020 at 10:00 a.m. as the evidentiary hearing on that date is vacated.

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

Friday, May 1, 2020

Hearing Room 1675

10:00 AM

CONT...

Charles Peters

Chapter 11

The court further on its own motion sets a status conference in this contested matter on April 15, 2020 at 11:00 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012. The purpose of the status conference is to discuss rescheduling the evidentiary hearing on the motion. Because the Roybal Federal Building is closed to the public on April 15, 2020 by the aforementioned order of the United States District Court, the parties to this contested matter and their counsel must appear telephonically at the status conference in accordance with the court's telephone appearance procedures posted online on the court's website. The court has scheduled the status conference to be conducted with other matters scheduled for hearing in this bankruptcy case on April 15, 2020 at 11:00 a.m.

Prior tentative ruling as of 8/16/19. Off calendar. Continued by stipulation and order to 11/14/19 at 10:00 a.m. No appearances are required on 9/19/19.

Prior 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
Chad V Haes
Chad V Haes

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

Tuesday, May 5, 2020

Hearing Room 1675

10:30 AM

2:20-11138 James Matthew Dorsey and Michelle Denise Dorsey

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(Bank of America N.A. VS Debtors)

Docket 31

***** VACATED *** REASON: Voluntary dismissal filed on 4/9/20-mb.**

Tentative Ruling:

Off calendar. Motion voluntarily dismissed by notice filed on 4/9/20. No appearances are necessary.

Party Information

Debtor(s):

James Matthew Dorsey

Represented By
Raymond J Bulaon

Joint Debtor(s):

Michelle Denise Dorsey

Represented By
Raymond J Bulaon

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 5, 2020

Hearing Room 1675

10:30 AM

2:20-11138 James Matthew Dorsey and Michelle Denise Dorsey

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Bank of the West VS Debtors)

Docket 42

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 of the hearing date. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

No appearances are required on 5/5/20.

Party Information

Debtor(s):

James Matthew Dorsey

Represented By
Raymond J Bulaon

Joint Debtor(s):

Michelle Denise Dorsey

Represented By
Raymond J Bulaon

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

Tuesday, May 5, 2020

Hearing Room 1675

10:30 AM

CONT... James Matthew Dorsey and Michelle Denise Dorsey

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, May 5, 2020

Hearing Room 1675

10:30 AM

2:20-12405 Diallo Kandia Scott

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(Ford Motor Credit Company VS Debtor)

Docket 12

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 of the hearing date. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

No appearances are required on 5/5/20.

Party Information

Debtor(s):

Diallo Kandia Scott

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 5, 2020

Hearing Room 1675

10:30 AM

2:20-12978 Gosford Tukutau and Anna Tukutau

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(Kornblum Apartments VS Debtors)

Docket 10

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 because 11 U.S.C. 1201 and 1301 are inapplicable in this Chapter 7 bankruptcy case. The 14-day waiting period under FRBP 4001(a)(3) is waived.

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

No appearances are required on 5/5/20.

Party Information

Debtor(s):

Gosford Tukutau

Represented By
Sundee M Teeple

Joint Debtor(s):

Anna Tukutau

Represented By

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

Tuesday, May 5, 2020

Hearing Room 1675

10:30 AM

CONT... Gosford Tukutau and Anna Tukutau

Chapter 7

Sundee M Teeple

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 5, 2020

Hearing Room 1675

10:30 AM

2:20-13074 Wiseman Construction Pros, Inc.

Chapter 7

#5.00 Hearing re: Motion for relief from stay
(Americredit Financial Services, Inc. dba GM Financial VS Debtor)

Docket 8

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 of the hearing date. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

No appearances are required on 5/5/20.

Party Information

Debtor(s):

Wiseman Construction Pros, Inc.

Represented By
Paul M Brent

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 5, 2020

Hearing Room 1675

11:00 AM

2:19-10119 David Lee

Chapter 11

#6.00 Cont'd hearing re: Motion for relief from stay
(YCCS, LLC VS Debtor)
fr. 2/19/20, 2/26/20, 3/3/20

Docket 108

***** VACATED *** REASON: Order Vacating Hearing entered on 5/1/20-
pp**

Tentative Ruling:

Updated tentative ruling as of 5/1/20. Off calendar. The court has entered an order determining that further oral argument is not necessary, dispensing with it, taking the motion under submission and vacating the hearing. The court will issue a separate written ruling on the motion. No appearances are required on 5/5/20.

Prior tentative ruling as of 3/2/20. No tentative ruling on the merits. Appearances are required on 3/3/20, but counsel may appear by telephone.

Prior tentative ruling as of 2/18/20. No tentative ruling on the merits. Appearances are required on 2/19/20, but counsel may appear by telephone.

Prior tentative ruling as of 2/3/20. Appearances are required on 2/5/20, but counsel may appear by telephone.

Prior tentative ruling as of 1/29/20. Appearances are required on 1/31/20, but counsel may appear by telephone.

Prior tentative ruling as of 1/27/20. No tentative ruling in light of debtor's motion for approval of postpetition financing set for hearing on shortened notice on 1/28/20 at 11:00 a.m.

Prior tentative ruling as of 12/10/19. Movant filed declarations on 12/4/19 attesting that its loan was not paid through the refinancing escrow and the loan has matured. Debtor filed a declaration of his loan broker on 12/6/19 discussing the refinancing loan that did not go through and further efforts to obtain a refinancing loan for the subject property. As noted in a prior tentative

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

Tuesday, May 5, 2020

Hearing Room 1675

11:00 AM

CONT... David Lee

Chapter 11

ruling, past the maturity date, the limited case law on point favors movant's position that cause is shown for stay relief because the failure to pay off the loan by the maturity date is an incurable default which cannot be cured by any Chapter 11 plan because any plan that does not pay off the loan by the maturity date is an impermissible modification of movant's lien rights contrary to 11 U.S.C. 1123(b)(5). In re Crump, 529 B.R. 106 (Bankr. D. S.C. 2015); In re Sampson, 2018 WL 4786404 (Bankr. M.D. Fla. 2018); In re Clay, 204 B.R. 786 (Bankr. N.D. Ala. 1996); see also, Worthington v. General Motors Corp. (In re Claremont Acquisition Corp.), 113 F.3d 1029 (9th Cir. 1997). These cases note that the statutory exception in Chapter 13 cases to extend a due date of a maturing loan on the debtor's principal residence does not apply to Chapter 11 cases, indicating that Congress did not mean to provide for such exception for Chapter 11 plans. While there may be grounds to grant stay relief since debtor cannot propose any plan to modify the rights of the movant as a holder of a claim secured only by a security interest in real property that is debtor's principal residence, if debtor can propose a nonplan takeout strategy to be consummated within a reasonable period of time to realize the value of equity in the property for the benefit of the estate (such as obtaining refinancing loan approval by a different lender within a reasonable period of time, say, 60-90 days), the court would deny the motion without prejudice so that debtor could obtain loan approval from a different lender within a reasonable period of time. While the loan has matured, it appears that the parties contemplated that debtor may not pay the loan on the maturity date and the parties' loan agreement as reflected in the promissory note (Exhibit 2 to Motion) provides that the existing lender can be compensated for any actual damages from debtor's failure to pay the loan at maturity based on the liquidated damages provisions in the loan agreement. Payment of the loan and secured claim during the pendency of this Chapter 11 case would not per se run afoul of 11 U.S.C. 1123(b)(5).

Appearances are required on 12/10/19, but counsel may appear by telephone.

Prior tentative ruling as of 11/11/19. Appearances are required on 11/14/19, but counsel may appear by telephone.

Prior tentative ruling as of 11/8/19. Off calendar. Continued by stipulation

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

Tuesday, May 5, 2020

Hearing Room 1675

11:00 AM

CONT... David Lee

Chapter 11

and order to 11/14/19 at 11:30 a.m. No appearances are required on 11/12/19.

Prior tentative ruling as of 11/7/19. Having read the supplemental briefs filed by the parties, at this time, the court is inclined to agree with debtor that the motion is premature because he still has time to cure and pay off movant's lien to secure the loan on debtor's principal residence before it matures on 12/1/19 and would deny the motion without prejudice or continue with movant's consent the hearing to after the maturity date because debtor seeks to recover the equity in the property for the estate. (The court notes that debtor filed a motion for approval of postpetition financing to approve a new loan to take out the existing loans on the property on 11/7/19, which has been set for hearing on shortened notice on 11/14/19 at 11:30 a.m.) However, past the maturity date, the limited case law on point favors movant's position that cause is shown for stay relief because the failure to pay off the loan by the maturity date is an incurable default which cannot be cured by any Chapter 11 plan because any plan that does not pay off the loan by the maturity date is an impermissible modification of movant's lien rights contrary to 11 U.S.C. 1123(b)(5). In re Crump, 529 B.R. 106 (Bankr. D. S.C. 2015); In re Sampson, 2018 WL 4786404 (Bankr. M.D. Fla. 2018); In re Clay, 204 B.R. 786 (Bankr. N.D. Ala. 1996); see also, Worthington v. General Motors Corp. (In re Claremont Acquisition Corp.), 113 F.3d 1029 (9th Cir. 1997). These cases note that the statutory exception in Chapter 13 cases to extend a due date of a maturing loan on the debtor's principal residence does not apply to Chapter 11 cases, indicating that Congress did not mean to provide for such exception for Chapter 11 plans. Appearances are required on 11/12/19, but counsel may appear by telephone.

Prior tentative ruling. Deny stay relief motion for failure of creditor to meet its burden of proving lack of equity of debtor in collateral under 11 U.S.C. 362(g) (1). Creditor's moving papers on their face show that debtor has equity in the subject property and thus fail to demonstrate lack of equity under 11 U.S.C. 362(d)(2). Moreover, creditor's moving papers lack admissible evidence to demonstrate lack of equity to demonstrate lack of adequate protection under 11 U.S.C. 362(d)(1) because its valuation evidence is not supported by a declaration under penalty of perjury by a qualified valuation expert witness who has conducted a proper valuation analysis based on scientifically

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

Tuesday, May 5, 2020

Hearing Room 1675

11:00 AM

CONT... David Lee

Chapter 11

accepted valuation principles (i.e., sales comparables analysis) and only consists of hearsay opinions of unknown persons based on unknown analysis. Furthermore, creditor's moving papers on their face fail to demonstrate lack of adequate protection since they indicate a 28% equity cushion to adequately protect its lien interest in the subject property. In re Mellor, 734 F.2d 1396 (9th Cir. 1984). Finally, deny requests for extraordinary relief in paragraphs 8, 10 and 11 for lack of evidentiary and/or legal support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009). Appearances are required on 7/30/19, but counsel may appear by telephone.

Party Information

Debtor(s):

David Lee

Represented By
David A Tilem

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

Tuesday, May 5, 2020

Hearing Room 1675

11:00 AM

2:19-10119 David Lee

Chapter 11

#7.00 Cont'd hearing re: Motion for order authorizing debtor to obtain credit pursuant to § 364(c)(2) fr. 2/19/20, 2/26/20, 3/3/20

Docket 239

***** VACATED *** REASON: Order Vacating Hearing entered on 5/1/20-pp**

Tentative Ruling:

Updated tentative ruling as of 5/1/20. Off calendar. The court has issued an order taking this matter off calendar. No appearances are required on 5/5/20.

Prior tentative ruling as of 3/2/20. No tentative ruling on the merits. Appearances are required on 3/3/20 to discuss further proceedings regarding dispute over payoff of lien claim, but counsel may appear by telephone.

Prior tentative ruling as of 2/18/20. The court granted the motion by prior order authorizing use of cash collateral through 4/30/20. Appearances are optional on 2/19/20, but counsel may appear by telephone.

Prior tentative ruling as of 2/3/20. Appearances are required on 2/5/20, but counsel may appear by telephone.

Prior tentative ruling as of 1/29/20. Appearances are required on 1/31/20, but counsel may appear by telephone.

Prior tentative ruling. No tentative ruling will be issued for the motion heard on shortened notice. Creditor YCCS has filed an opposition to the motion. Appearances are required on 1/28/20, but counsel may appear by telephone.

Party Information

Debtor(s):

David Lee

Represented By
David A Tilem

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

Tuesday, May 5, 2020

Hearing Room 1675

1:30 PM

2:13-17409 Ayers Bath (U.S.A.), Co.,Ltd.

Chapter 7

#8.00 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. 12/17/19, 2/18/20, 3/31/20

Docket 118

***** VACATED *** REASON: Cont'd to 7/14/20 at 2:30 p.m. per stip & order entered on 3/31/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 5/1/20. Off calendar. Continued by stipulation and order to 7/14/20 at 2:30 p.m. No appearances are required on 5/5/20.

Prior tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion continues the status conference in this adversary proceeding scheduled for March 31, 2020 at 1:30 p.m. to May 5, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference is continued to May 5, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012. If the parties do not submit a stipulation and proposed order for continuance, counsel for plaintiff is ordered to give notice to the other parties.

Prior tentative ruling as of 2/14/20. Off calendar. Continued by stipulation

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

Tuesday, May 5, 2020

Hearing Room 1675

1:30 PM

CONT... Ayers Bath (U.S.A.), Co.,Ltd. Chapter 7

and order to 3/31/20 at 2:30 p.m. No appearances are required on 2/17/19.

Prior tentative ruling as of 12/16/19. Off calendar. Continued by stipulation and order to 2/18/20 at 2:00 p.m. No appearances are required on 12/17/19.

Prior tentative ruling as of 6/24/19. No tentative ruling on the merits. Appearances are required on 6/25/19, but counsel may appear by telephone.

Prior 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, May 5, 2020

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

#9.00 Cont'd pretrial conference re: Complaint for the avoidance and recovery of fraudulent transfers
fr. 9/17/19, 1/28/20, 3/10/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/1/20. The court has reviewed plaintiff's unilateral status report. No tentative ruling on the merits. Appearances are required on 5/5/20 to discuss the status of the adversary proceeding, including when plaintiff will file a motion for default judgment and setting of further proceedings, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/9/20. Off calendar. The court has reviewed plaintiff's unilateral status report, requesting that the status conference be continued to 5/5/20 at 1:30 p.m. in light of plaintiff's pending renewed motion for summary judgment in the adversary proceeding against debtor, which it says may render default judgment in this matter unnecessary. The court on its own motion continues the status conference to 5/5/20 at 1:30 p.m. No appearances are required on 3/10/20, but counsel may appear by telephone.

Prior tentative ruling as of 1/27/20. Off calendar. The court has reviewed plaintiff's unilateral status report, stating that this is a default situation and

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CONT... Rama Krishna Chaparala

Chapter 7

requesting a continuance of the status conference to mid-March for him to decide whether to move for default judgment against defendants which are a dissolved corporation and a suspended corporation. The court on its own motion continues the status conference to 3/10/20 at 2:00 p.m. No appearances are required on 1/28/20.

Prior tentative ruling as of 9/16/19. The court has reviewed plaintiff's unilateral status report. Set a discovery cutoff date of 12/31/19 and a pretrial conference for 1/28/20 at 2:00 p.m. Appearances are required on 9/17/19 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. The court has reviewed plaintiff's unilateral status report. No tentative ruling on the merits. Appearances are required on 6/25/19 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Corrected tentative ruling as of 4/15/19. 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 June or early July 2019. The court on its own motion continues the status conference to 6/25/19 at 1:30 p.m., and an updated status report is optional for this status conference, but if one is filed, it would be appreciated if it is filed at least one week before. No appearances are required on 4/16/19.

Revised tentative ruling as of 1/29/19. The court has reviewed plaintiff's unilateral status report. No tentative ruling on the merits. Appearances are required on 1/29/19, but counsel may appear by telephone.

Prior 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

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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
Anthony J Napolitano

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Anthony J Napolitano
Michael Fischer
Michael Fischer

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

Chapter 7

Adv#: 2:19-01467 Avery v. Mercedes-Benz Financial Service USA LLC

#10.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential and fraudulent transfers fr. 1/7/20, 3/3/20

Docket 1

***** VACATED *** REASON: Cont'd from 5/5/20 to 7/14/20 at 1:30 p.m. per stip & order entered on 4/8/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 7/14/20 at 1:30 p.m. No appearances are required on 5/5/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Mercedes-Benz Financial Service

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Chapter 7

Adv#: 2:19-01468 Avery v. Baldwin Sun Inc.

#11.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of fraudulent and transfers
fr. 1/7/20, 3/3/20

Docket 1

***** VACATED *** REASON: Cont'd from 5/5/20 to 7/14/20 at 1:30 p.m.
per sitp & order entered on 4/24/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 5/1/20. Off calendar. Continued by stipulation and order to 7/14/20 at 1:30 p.m. No appearances are required on 5/5/20.

Prior tentative ruling. Continued by stipulation and order to 5/5/20 at 1:30 p.m. No appearances are required on 3/3/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Baldwin Sun Inc.

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Chapter 7

Adv#: 2:19-01470 Avery v. JC Rack Systems

#12.00 Cont'd status conference re: Complaint for avoidance and recovery of fraudulent transfers
fr. 1/7/20, 3/3/20

Docket 1

***** VACATED *** REASON: Cont'd from 5/5/20 to 7/14/20 at 1:30 p.m.
per stip & order entered on 4/27/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 5/1/20. Off calendar. Continued by stipulation and order to 7/14/20 at 1:30 p.m. No appearances are required on 5/5/20.

Prior tentative ruling as of 3/2/20. Off calendar. Continued by stipulation and order to 5/5/20 at 1:30 p.m. No appearances are required on 3/3/20.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in order for plaintiff to file a request for entry of default against defendant and to file a motion for default judgment. The court on its own motion continues the status conference to 3/3/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

JC Rack Systems

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

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Trustee(s):

Wesley H. Avery

Represented By

Kristofer R McDonald

Richard A Marshack

D Edward Hays

David Wood

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

Chapter 7

Adv#: 2:19-01471 Avery v. Los Angeles County Tax Collector

#13.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of fraudulent and unauthorized postpetition transfers
fr. 1/7/20, 3/10/20

Docket 1

***** VACATED *** REASON: Cont'd from 5/5/20 to 7/14/20 at 1:30 p.m.
per stip & order entered on 4/14/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 7/14/20 at 1:30 p.m. No appearances are required on 5/5/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Los Angeles County Tax Collector

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Chapter 7

Adv#: 2:19-01473 Avery v. Sio, LLC

#14.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential and fraudulent transfers fr. 1/7/20, 3/3/20

Docket 1

***** VACATED *** REASON: Cont'd from 5/5/20 to 7/14/20 at 1:30 p.m. per stip & order entered on 4/24/20-st**

Tentative Ruling:

Updated tentative ruling as of 5/1/20. Off calendar. Continued by stipulation and order to 7/14/20 at 1:30 p.m. No appearances are required on 5/5/20.

Prior tentative ruling. Continued by stipulation and order to 7/14/20 at 1:30 p.m. No appearances are required on 5/5/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Sio, LLC

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Chapter 7

Adv#: 2:19-01479 Avery v. Trinh

#15.00 Cont'd status conference re: Complaint for (1) breach of fiduciary duty; (2) conversion; (3) misappropriation of trade secrets; (4) wrongful disparagement of debtor's assets; (5) avoidance, recovery, and preservation of preferential transfers; (6) avoidance, recovery, and preservation of preferential transfers; (6) avoidance, recovery, and preservation of actual fraudulent transfers; (7) avoidance, recovery, and preservation of constructive fraudulent transfers; (8) unauthorized post-petition transfers; and (9) turnover of property of the estate
fr. 1/7/20, 3/3/20

Docket 1

***** VACATED *** REASON: Cont'd from 5/5/20 to 7/14/20 at 1:30 p.m.
per stip & order entered on 4/17/20-pp**

Tentative Ruling:

Updated tentative ruling as of 5/1/20. Off calendar. Continued by stipulation and order to 7/14/20 at 1:30 p.m. No appearances are required on 5/5/20.

Prior tentative ruling. Continued by stipulation and order to 7/14/20 at 1:30 p.m. No appearances are required on 5/5/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Tony Trinh

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

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Trustee(s):

Wesley H. Avery

Represented By

Kristofer R McDonald

Richard A Marshack

D Edward Hays

David Wood

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2:18-11148 Jong J Kim

Chapter 7

Adv#: 2:18-01134 Shon et al v. Kim et al

#16.00 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. 6/25/19, 10/22/19, 3/31/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/1/20. No tentative ruling on the merits. Appearances are required on 5/5/20 to discuss the status of the adversary proceeding, including the status of mediation and settlement negotiations and if not settled, when a pretrial conference should be set, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of

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the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion continues the status conference in this adversary proceeding scheduled for March 31, 2020 at 1:30 p.m. to May 5, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference is continued to May 5, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012. Counsel for plaintiff is ordered to give notice to the other parties.

Prior tentative ruling as of 10/21/19. Appearances are required on 10/22/19, but counsel may appear by telephone.

tentative ruling as of 6/24/19. Schedule a pretrial conference for this adversary proceeding if the matter is not being settled. Appearances are required on 6/25/19, but counsel may appear by telephone.

Prior tentative ruling as of 3/25/19. The court has reviewed the stipulation of the parties regarding continuance of scheduled dates and hearings filed on 2/27/19 and based on that stipulation, set a new discovery cutoff date of 5/29/19 and a post-discovery status conference on 6/25/19 at 1:30 p.m. (status conferences are held on Tuesdays at 1:30 p.m.) with a joint status report due on 6/18/19. Order the matter to mediation, and the parties to file a selection of mediator and alternate mediator by 4/15/19 and complete mediation by 6/25/19. No appearances are required on 9/18/18. Plaintiffs to submit a proposed scheduling order within 7 days.

Prior 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.

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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.

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

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Sunny Shon

Represented By
Jason Shon

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Trustee(s):

David M Goodrich (TR)

Pro Se

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2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01251 Goodrich v. Eghbali

- #17.00** Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542
fr. 10/1/19, 11/5/19, 3/31/20

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Tentative Ruling:

Updated tentative ruling as of 5/1/20. No tentative ruling on the merits. Appearances are required on 5/5/20 to discuss the status of the adversary proceeding, including when plaintiff will file a motion for default judgment and setting of further proceedings, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of

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SOCALDEAL INC

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the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion continues the status conference in this adversary proceeding scheduled for March 31, 2020 at 1:30 p.m. to May 5, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference is continued to May 5, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report. Set a discovery cutoff date of 2/28/20, and a post-discovery status conference on 3/31/20 at 1:30 p.m. with a joint status report due on 3/24/20. Appearances are required on 10/22/19, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Michael Eghbali

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01276 Goodrich v. Shemtov

#18.00 Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542
fr. 10/22/19, 3/31/20

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Tentative Ruling:

Updated tentative ruling as of 5/1/20. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 5/5/20 to discuss the status of the adversary proceeding, including the status of the pending mediation and when a pretrial conference and other further proceedings should be set, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued

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General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion continues the status conference in this adversary proceeding scheduled for March 31, 2020 at 1:30 p.m. to May 5, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference is continued to May 5, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012. Counsel for plaintiff is ordered to give notice to the other parties.

Prior tentative ruling. The court has reviewed the joint status report. Set a discovery cutoff date of 2/28/20, and a post-discovery status conference on 3/31/20 at 1:30 p.m. with a joint status report due on 3/24/20. Order the matter to mediation, and mediation to be completed by 3/31/20. Appearances are required on 10/22/19, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

George Shemtov

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch

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Beth Gaschen

Weiland Golden Goodrich LLP

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2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01277 Goodrich v. Shemtov

- #19.00** Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542
fr. 10/22/19, 3/31/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/1/20. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 5/5/20 to discuss the status of the adversary proceeding, including the status of the pending mediation and when a pretrial conference and other further proceedings should be set, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued

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CONT... SOCALDEAL INC

Chapter 7

General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion continues the status conference in this adversary proceeding scheduled for March 31, 2020 at 1:30 p.m. to May 5, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference is continued to May 5, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012. Counsel for plaintiff is ordered to give notice to the other parties.

Prior tentative ruling. The court has reviewed the joint status report. Set a discovery cutoff date of 2/28/20, and a post-discovery status conference on 3/31/20 at 1:30 p.m. with a joint status report due on 3/24/20. Order the matter to mediation, and mediation to be completed by 3/31/20. Appearances are required on 10/22/19, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Jack Shemtov

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch

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SOCALDEAL INC

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Beth Gaschen

Weiland Golden Goodrich LLP

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2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01278 Goodrich v. Shemtov

#20.00 Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542
fr. 10/22/19, 3/31/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/1/20. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 5/5/20 to discuss the status of the adversary proceeding, including the status of the pending mediation and when a pretrial conference and other further proceedings should be set, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued

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CONT... SOCALDEAL INC

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General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion continues the status conference in this adversary proceeding scheduled for March 31, 2020 at 1:30 p.m. to May 5, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference is continued to May 5, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012. Counsel for plaintiff is ordered to give notice to the other parties.

Prior tentative ruling. The court has reviewed the joint status report. Set a discovery cutoff date of 2/28/20, and a post-discovery status conference on 3/31/20 at 1:30 p.m. with a joint status report due on 3/24/20. Order the matter to mediation, and mediation to be completed by 3/31/20. Appearances are required on 10/22/19, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Najid Shemtov

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch

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SOCALDEAL INC

Beth Gaschen

Weiland Golden Goodrich LLP

Chapter 7

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2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01279 Goodrich v. Shemtov

- #21.00** Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542
fr. 10/22/19, 3/31/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/1/20. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 5/5/20 to discuss the status of the adversary proceeding, including the status of the pending mediation and when a pretrial conference and other further proceedings should be set, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued

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CONT... SOCALDEAL INC

Chapter 7

General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion continues the status conference in this adversary proceeding scheduled for March 31, 2020 at 1:30 p.m. to May 5, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference is continued to May 5, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012. Counsel for plaintiff is ordered to give notice to the other parties.

Prior tentative ruling. The court has reviewed the joint status report. Set a discovery cutoff date of 2/28/20, and a post-discovery status conference on 3/31/20 at 1:30 p.m. with a joint status report due on 3/24/20. Order the matter to mediation, and mediation to be completed by 3/31/20. Appearances are required on 10/22/19, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Rojeh Shemtov

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch

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SOCALDEAL INC

Chapter 7

Beth Gaschen

Weiland Golden Goodrich LLP

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2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01280 Goodrich v. Shemtov

#22.00 Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542
fr. 10/22/19, 3/31/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/1/20. No tentative ruling on the merits. Appearances are required on 5/5/20 to discuss the status of the adversary proceeding, including when plaintiff will file a motion for default judgment and setting of further proceedings, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of

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SOCALDEAL INC

Chapter 7

the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion continues the status conference in this adversary proceeding scheduled for March 31, 2020 at 1:30 p.m. to May 5, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference is continued to May 5, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report. Set a discovery cutoff date of 2/28/20, and a post-discovery status conference on 3/31/20 at 1:30 p.m. with a joint status report due on 3/24/20. Appearances are required on 10/22/19, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Simon Shemtov

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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2:19-10596 Robert David Katz

Chapter 11

Adv#: 2:19-01215 Katz et al v. Capital One et al

#23.00 Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers; (2) Recovery of Preferential Transfers; (3) Avoidance of Post-Petition Transfers; (4) Recovery of Post-Petition Transfers; (5) Preservation of Avoided Transfers; and (6) Disallowance of Claims
fr. 9/17/19, 10/16/19, 3/3/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/1/20. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 5/5/20 to discuss the status of the adversary proceeding, including when a pretrial conference and other further proceedings should be set, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling. The court has reviewed the joint status report. Set a discovery cutoff date of 1/31/20, and a post-discovery status conference on 3/3/20 at 1:30 p.m. with a joint status report due on 2/25/20. Appearances are required on 10/16/19, but counsel may appear by telephone. Plaintiffs to submit a proposed scheduling order within 7 days of hearing.

Party Information

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CONT... Robert David Katz

Chapter 11

Debtor(s):

Robert David Katz

Represented By
Mark M Sharf
Ori S Blumenfeld

Defendant(s):

Capital One

Pro Se

Capital One, National Association

Pro Se

Capital One Bank (USA)

Represented By
Matthew I Bobb

Capital One Bank (USA), National

Pro Se

Capital One Bank (USA), N.A.

Represented By
Nichole Glowin

Capital One Bank (USA), N.A.

Represented By
Nicole Skolnekovich

Joint Debtor(s):

Roslyn Soudry Katz

Represented By
Mark M Sharf
Ori S Blumenfeld

Plaintiff(s):

Roslyn Soudry Katz

Represented By
Victor A Sahn
Cathy Ta

Robert David Katz

Represented By
Victor A Sahn
Cathy Ta

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Hearing Room 1675

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2:19-12016 MINSEOK LEE

Chapter 7

Adv#: 2:19-01163 Starbucks Corporation v. Lee

#24.00 Cont'd status conference re: Complaint and demand for jury trial
fr. 10/22/19, 1/28/20, 3/31/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/1/20. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 5/5/20 to discuss the status of the adversary proceeding, including when a pretrial conference and other further proceedings should be set, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion

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MINSEOK LEE

Chapter 7

continues the status conference in this adversary proceeding scheduled for March 31, 2020 at 1:30 p.m. to May 5, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference is continued to May 5, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012. Counsel for plaintiff is ordered to give notice to the other parties.

Prior tentative ruling as of 1/27/20. The court has reviewed the parties' unilateral status reports. No tentative ruling on the merits. Appearances are required on 1/28/20, but counsel may appear by telephone.

Prior tentative ruling as of 10/21/19. No tentative ruling on the merits. The court is of the view that there is no right to jury trial on plaintiff's debt dischargeability claims since such claims did not exist at common law, so no Seventh Amendment right to jury trial, and intends to order plaintiff to brief its claimed right to jury trial. Appearances are required on 10/22/19, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report, indicating that defendant has filed a motion to dismiss the amended complaint noticed for hearing on 10/22/19 at 2:30 p.m. The court on its own motion continues the status conference to 10/22/19 at 2:30 p.m. to be conducted with the hearing on the motion to dismiss the amended complaint since that matter will have an impact on the status of the adversary proceeding. No appearances are required on 10/1/19.

Party Information

Debtor(s):

MINSEOK LEE

Represented By
Jaenam J Coe

Defendant(s):

Minseok Lee

Pro Se

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CONT... MINSEOK LEE

Chapter 7

Plaintiff(s):

Starbucks Corporation

Represented By
Shayne Figgins
Maria Keller

Trustee(s):

David M Goodrich (TR)

Pro Se

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2:19-15356 Ara Ohannes Keyllian

Chapter 7

Adv#: 2:19-01267 Ayrapetyan v. Keyllian

#25.00 Cont'd status conference re: Complaint for nondischargeability of debt pursuant to 11 U.S.C. §523(a)(6), 11 U.S.C. §523(a)(2)(A), 11 U.S.C. §727(a)(2)(A), and 11 U.S.C. §727(a)(4)(A)
fr. 10/15/19, 3/31/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/1/20. The court has reviewed the defendant's unilateral status report. No tentative ruling on the merits. Appearances are required on 5/5/20 to discuss the status of the adversary proceeding, including the need for cooperation in filing a joint status report and setting further proceedings, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/23/20. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues the status conference in this adversary proceeding scheduled for March 31, 2020 at 1:30 p.m. The court on its own motion continues the status conference to May 5, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on

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CONT... **Ara Ohannes Keyllian** **Chapter 7**

March 31, 2020 at 1:30 p.m. as the status conference is continued to May 5, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Prior tentative ruling. The court has reviewed the joint status report. Set a discovery cutoff date of 2/28/20, and a post-discovery status conference on 3/31/20 at 1:30 p.m. with a joint status report due on 3/24/20. Order the matter to mediation, and mediation to be completed by 3/31/20. Appearances are required on 10/8/19, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Ara Ohannes Keyllian

Represented By
Eileen Keusseyan

Defendant(s):

Ara Keyllian

Pro Se

Plaintiff(s):

Anahid Ayrapetyan

Represented By
Linnet Megerdomian

Trustee(s):

Peter J Mastan (TR)

Pro Se

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Hearing Room 1675

1:30 PM

2:19-15982 Daniel Hyun You

Chapter 7

Adv#: 2:19-01282 AJU Small but Great Fund 5, a Korean entity v. You

- #26.00** Cont'd status conference re: Complaint for determination of non-dischargeability of debt:
1. For fraudulent statements re non-financial condition (11 U.S.C. §523(a)(2)(A));
2. For fraudulent written statements re financial condition (11 U.S.C. §523(a)(2)(B))
3. Fraud/defalcation while acting in fiduciary capacity, embezzlement, or larceny (11 U.S.C. §523(a)(4)); 4. Willful and malicious injury to another entity (11 U.S.C. §523(a)(6)); 5. Securities fraud (11 U.S.C. §523(a)(19))
fr. 10/22/19, 3/31/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/1/20. The court has reviewed plaintiff's unilateral status report. No tentative ruling on the merits. Appearances are required on 5/5/20 to discuss the status of the adversary proceeding, including the status of the settlement discussions and when further proceedings should be set, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the

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Daniel Hyun You

Chapter 7

United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion continues the status conference in this adversary proceeding scheduled for March 31, 2020 at 1:30 p.m. to May 5, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference is continued to May 5, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012. Counsel for plaintiff was ordered to give notice to the other parties and has given notice.

Prior tentative ruling. The court has reviewed the joint status report. Plaintiff should discuss to what extent it is relying upon claim and/or issue preclusion to prove its claims, and perhaps this case is amenable to cross-motions for summary judgment or a trial upon stipulated facts. Set a discovery cutoff date of 2/28/20, and a post-discovery status conference on 3/31/20 at 1:30 p.m. with a joint status report due on 3/24/20. Order the matter to mediation, and mediation to be completed by 3/31/20. Appearances are required on 10/22/19. After the status conference, plaintiff is to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Daniel Hyun You

Represented By
David Marh

Defendant(s):

Daniel Hyun You

Pro Se

Plaintiff(s):

AJU Small but Great Fund 5, a

Represented By
James E Till

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CONT... Daniel Hyun You

Chapter 7

Pio S Kim
Alexander Su

Trustee(s):

Wesley H Avery (TR)

Represented By
Laila Masud
D Edward Hays

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2:19-22853 Arka Sangbarani Oroojian

Chapter 7

Adv#: 2:20-01020 Yates v. Oroojian

#27.00 Cont'd status conference re: Complaint to determine dischargeability of debt pursuant to 11 U.S.C. §523 (a)(6); demand for jury trial fr. 4/7/20

Docket 1

Tentative Ruling:

Updated and supplemental tentative ruling as of 5/4/20. After considering the supplemental briefing of the parties ordered by the court, the court provides the following as its supplemental tentative ruling to its tentative ruling of 5/1/20: The court will abstain from determining the underlying state law tort claims that plaintiff has against defendant pursuant to statutory permissive abstention under 28 U.S.C. 1334(c)(1) and nonstatutory abstention under *Colorado River Water Conservation District v. United States*, 424 U.S. 800 (1976). The factors that the court has considered for permissive abstention are set forth in *In re Tucson Estates, Inc.*, 912 F.2d 1162, 1167 (9th Cir. 1990): 1) the effect or lack thereof on the efficient administration of the estate if a Court recommends abstention (favoring abstention for lack of effect on efficient administration of the estate), (2) the extent to which state law issues predominate over bankruptcy issues (favoring abstention since plaintiff's tort claims are governed by state law), (3) the difficulty or unsettled nature of the applicable law (neutral since the applicable law is not difficult or unsettled), (4) the presence of a related proceeding commenced in state court or other nonbankruptcy court (favoring abstention, there is pending state law court action stayed by this bankruptcy case), (5) the jurisdictional basis, if any, other than 28 U.S.C. § 1334 (favoring abstention since the only basis for jurisdiction is the court's related to jurisdiction), (6) the degree of relatedness or remoteness of the proceeding to the main bankruptcy case (favoring abstention since the dispute in the adversary proceeding is remote to the main bankruptcy case), (7) the substance rather than form of an asserted "core" proceeding (favoring abstention because the underlying tort claims are noncore proceedings), (8) the feasibility of severing state law claims from core bankruptcy matters to allow judgments to be entered in state court with

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CONT... Arka Sangbarani Oroojian

Chapter 7

enforcement left to the bankruptcy court (favoring abstention, severance of state law claims to be tried in state court from the dischargeability claim can be accomplished), (9) the burden of [the bankruptcy court's] docket (favoring abstention, trying the tort claim would be burdensome on the bankruptcy court or district court's docket pursuant to 28 U.S.C. 157(b)(5)), (10) the likelihood that the commencement of the proceeding in bankruptcy court involves forum shopping by one of the parties (this factor is neutral as the court makes no determination of forum shopping), (11) the existence of a right to a jury trial (favoring abstention since the parties have the right to jury trial on the tort claims), and (12) the presence in the proceeding of nondebtor parties (not favoring abstention since the only parties to the dispute are before the court). Based on the overwhelming presence of factors favoring abstention, the court exercises permissive abstention as to plaintiff's tort claims underlying her nondischargeability action.

The court also exercises nonstatutory Colorado River abstention as the factors for such abstention favor abstention because: (1) state law provides the rule of decision on the merits; (2) the state court proceeding is adequate to protect the parties' rights; and (3) the state court obtained and exercised jurisdiction first as the state court action was ready to go to trial before defendant filed his bankruptcy case, staying that action. *In re Bellucci*, 119 B.R. 763, 775-776 (Bankr. E.D. Cal. 1990) (citations omitted). "Under the Colorado River doctrine, a federal trial court has discretion in 'exceptional circumstances' and despite the general obligation to exercise jurisdiction, to stay or dismiss an action for reasonable of wise judicial administration solely because of parallel litigation in state court." *Id.* At 775 (citations omitted). Thus, the court abstains from hearing plaintiff's state law tort claims and stays this action until the state court determines those claims, and afterwards, the court will then determine plaintiff's debt dischargeability claims in this adversary proceeding.

In so abstaining, the court will also grant stay relief sua sponte to allow the state court action to proceed to judgment, but not permitting enforcement of any judgment against the debtor or property of the estate unless further stay relief is obtained by order of the court or by operation of statute. *In re Belluci*, 119 B.R. at 778-779; accord, *In re Calkins*, BAP No. AZ-17-1284-LBTa, 2019

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WL 1594016 (9th Cir. BAP 2019), slip op. at *4.

Prior tentative ruling as of 5/1/20. The court has reviewed the supplemental briefing of the parties regarding the court's prior tentative ruling on abstention and stay relief. No tentative ruling on the merits. Appearances are required on 5/5/20 to discuss whether further proceedings should be set, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Revised tentative ruling as of 4/6/20. Having read the joint status report noting pending litigation in the state court to liquidate any alleged debt of defendant to plaintiff from alleged personal injuries based on tort, which is stayed by the underlying bankruptcy case, the court is inclined to abstain and grant stay relief to allow plaintiff's state court action to proceed to liquidate the debt, if any, either under mandatory or permissive abstention under 28 U.S.C. 1334(c)(1) or (2). See *In re Tucson Estates, Inc.*, 912 F.2d 1162 (9th Cir. 1990). In this matter, plaintiff seeks a determination of debt dischargeability where the alleged debt based on personal injury torts has not been liquidated. Debt dischargeability cannot be determined until the liability for the debt has been determined and liquidated. The underlying tort liability is not pleaded in the adversary complaint, and it is unclear from the pleadings where the underlying tort liability should be tried and determined, i.e., whether in this adversary proceeding or in the state court proceeding, which is now stay by the bankruptcy case. One consideration is that any personal injury tort claims if not tried in state court must be tried in the district court in this district pursuant to 28 U.S.C. 157(b)(4), though perhaps the parties could consent to this court so trying these claims. If the court abstains, the court would stay the pending adversary proceeding for dischargeability of debt pending the

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outcome of the state court tort litigation. The court intends to issue an order to show cause why this court should not abstain from hearing the unpled but underlying personal injury tort claims, but otherwise, retaining the debt dischargeability claim to be determined after the alleged debt liability has been determined. The court would consider the factors for permissive abstention and stay relief in *In re Tucson Estates, Inc.*, 912 F.2d at 1166-1167. In reviewing the status report, the court is of the view that the proposed pretrial and trial schedule is unrealistic, given the social turmoil from the current coronavirus pandemic and the need for extensive discovery proceedings relating to determination of the underlying alleged tort liability and the need for a trial of the personal injury tort claims in the district court if the court does not abstain.

Appearances are required on 4/7/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Arka Sangbarani Oroojian

Represented By
Roland H Kedikian

Defendant(s):

Arka Sangbarani Oroojian

Pro Se

Plaintiff(s):

Rhianna Yates

Represented By
Jesenia Martinez

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Trustee(s):

Sam S Leslie (TR)

Pro Se

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2:19-24594 John Michael Butcher

Chapter 7

Adv#: 2:20-01049 Neptune Fire Protection, Inc. v. Butcher et al

#28.00 Status conference re: Complaint to determine nondischargeability of debt

Docket 1

Tentative Ruling:

The court notes that plaintiff has not filed a status report as required by the court's order scheduling initial status conference. Appearances are required on 5/5/20 to address why monetary sanctions of \$100 should not be imposed against counsel for plaintiff for failure to file a unilateral status report, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, incl

Party Information

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CONT... John Michael Butcher

Chapter 7

Debtor(s):

John Michael Butcher

Represented By
Dean G Rallis Jr

Defendant(s):

John Michael Butcher

Pro Se

Karen Payne Butcher

Pro Se

Joint Debtor(s):

Karen Payne Butcher

Represented By
Dean G Rallis Jr

Plaintiff(s):

Neptune Fire Protection, Inc.

Represented By
Robert G Klein

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

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2:20-12051 Reyna Maria Taylor

Chapter 7

#29.00 Cont'd status conference re: Involuntary petition
fr. 3/31/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/1/20. The status conference will be conducted on the court's 2:30 p.m. hearing calendar with the pending motion of alleged debtor to dismiss the involuntary bankruptcy petition and case. No tentative ruling on the merits. Appearances are required on 5/5/20 at 2:30 p.m., not 1:30 p.m., but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion continues the status conference in this adversary proceeding scheduled for March 31,

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CONT... Reyna Maria Taylor

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2020 at 1:30 p.m. to May 5, 2020 at 1:30 p.m. as set forth in a prior order entered on March 19, 2020. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference is continued to May 5, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Reyna Maria Taylor

Pro Se

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2:00 PM

2:16-15692 Rama Krishna Chaparala

Chapter 7

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

#30.00 Pretrial conference re: Complaint to determine non-dischargeability of debt and for denial of discharge
fr. 5/28/19, 6/25/19, 9/17/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/1/20. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 5/5/20 to discuss the status of the adversary proceeding, including the status of the settlement discussions and when a pretrial conference and other further proceedings should be set, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 9/16/19. Off calendar. The court has reviewed the joint status report. Set a discovery cutoff date of 3/31/20 and a pretrial conference for 5/5/20 at 2:00 p.m. Order the parties to mediation, select a mediator and alternate by 11/1/19 and complete mediation by 5/5/20. Appearances are required on 9/17/19 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. The court has reviewed the joint status

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2:00 PM

CONT... Rama Krishna Chaparala

Chapter 7

report. No tentative ruling on the merits. Appearances are required on 6/25/19 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 5/24/19. The status conference will be conducted with the hearing on plaintiff's motion for summary judgment on the court's 2:30 p.m. calendar. Appearances are required at 2:30 p.m., not 1:30 p.m.

Prior tentative ruling as of 3/11/19. Off calendar. The court has reviewed the joint status report requesting a continuance of the status conference to 5/28/19 at 1:30 p.m. based on plaintiff's intention to notice a motion for summary judgment for hearing in April or May 2019. The court on its own motion continues the status conference to 5/28/19 at 1:30 p.m. No appearances are required on 3/12/19.

Party Information

Debtor(s):

Rama Krishna Chaparala

Represented By
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

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2:00 PM

2:16-15692 Rama Krishna Chaparala

Chapter 7

Adv#: 2:18-01124 Ehrenberg v. Chaparala

#31.00 Pretrial conference re: Complaint for the avoidance and recovery of fraudulent transfers fr.4/16/19, 6/25/19, 9/17/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/1/20. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 5/5/20 to discuss the status of the adversary proceeding, including the status of the settlement discussions and when a pretrial conference and other further proceedings should be set, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 9/16/19. The court has reviewed the joint status report. Set a discovery cutoff date of 3/31/20 and a pretrial conference for 5/5/20 at 2:00 p.m. Order the parties to mediation, select a mediator and alternate by 11/1/19 and complete mediation by 5/5/20. Appearances are required on 9/17/19 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 6/25/19 to discuss scheduling of further proceedings, but counsel may appear by telephone.

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CONT... Rama Krishna Chaparala

Chapter 7

Corrected tentative ruling as of 4/15/19. The court has reviewed the joint status report, stating that the parties expect to engage in settlement negotiations after defendant submits a comprehensive declaration regarding his financial condition with a personal financial statement setting forth all of his assets, liabilities, income and expenses and that the parties are requesting a continuance of the status conference for 60 days. The court on its own motion continues the status conference to 6/25/19 at 1:30 p.m., and an updated status report is optional for this status conference, but if one is filed, it would be appreciated if it is filed at least one week before. Plaintiff is ordered to submit a proposed scheduling order consistent with this tentative ruling on or before 4/19/19. No appearances are required on 4/16/19.

Revised tentative ruling as of 1/29/19. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 1/29/19 to discuss whether the parties have had their early meeting of counsel and whether the matter should be referred to mediation, but counsel may appear by telephone.

Prior 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.

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CONT... Rama Krishna Chaparala

Chapter 7

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

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2:00 PM

2:17-24993 Mary Katherine Cummins-Cobb

Chapter 7

Adv#: 2:18-01066 Khionidi v. Cummins-Cobb

#32.00 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. 12/17/20, 2/18/20, 3/3/20

Docket 1

Tentative Ruling:

Off calendar. The status conference is moot since all of the claims of the complaint have been resolved as final judgment has been entered on plaintiff's fourth cause of action and plaintiff's remaining causes of action have been dismissed. No appearances are required on 5/5/20.

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

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2:30 PM

2:18-15532 Jose M BENITEZ and Cinthia BENITEZ

Chapter 7

#33.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Timothy Yoo, Chapter 7 Trustee]

Docket 101

Tentative Ruling:

Off calendar. In light of the lack of a timely written objection to the trustee's final report and fee application, the court determines that oral argument on the final report and fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written objection as consent to the approval of the final report and fee application pursuant to Local Bankruptcy Rule 9013-1(h), rules on the final report and fee application on the papers, and approves the final report and fee application of trustee for reasons stated in the final report and fee application and for lack of timely written objection. No appearances are required on 5/5/20. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Jose M BENITEZ

Represented By
Douglas A Crowder

Joint Debtor(s):

Cinthia BENITEZ

Represented By
Douglas A Crowder

Trustee(s):

Timothy Yoo (TR)

Represented By
Carmela Pagay
Levene, Neale, Bender, Yoo & Brill LLP
Jeffrey L Sumpter

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2:30 PM

2:18-15532 Jose M BENITEZ and Cinthia BENITEZ

Chapter 7

#34.00 Hearing re: Application for fees and expenses
[Levene, Neale Bender, Yoo & Brill LLP, Attorney for Chapter 7 Trustee]

Docket 98

Tentative Ruling:

Off calendar. In light of the lack of a timely written objection to the final fee application of attorney for trustee, the court determines that oral argument on the final fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written objection as consent to the approval of the final fee application pursuant to Local Bankruptcy Rule 9013-1(h), rules on the final fee application on the papers, and approves the final fee application of attorney for trustee for reasons stated in the final fee application and for lack of timely written objection. No appearances are required on 5/5/20. Trustee or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Jose M BENITEZ

Represented By
Douglas A Crowder

Joint Debtor(s):

Cinthia BENITEZ

Represented By
Douglas A Crowder

Trustee(s):

Timothy Yoo (TR)

Represented By
Carmela Pagay
Levene, Neale, Bender, Yoo & Brill LLP
Jeffrey L Sumpter

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2:30 PM

2:20-12051 Reyna Maria Taylor

Chapter 7

#35.00 Hearing re: Motion for order:(A) Dismissing Involuntary Petition Against Reyna Taylor Under FRCP 12(b)(1) and 12(b)(6), or for Abstention Under 11 USC 305(a); and (B) for Monetary and Other Sanctions Under 11 USC 303(i), (k)

Docket 12

Tentative Ruling:

No tentative ruling as of 5/1/20. Appearances are required on 5/5/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Reyna Maria Taylor

Represented By
Steven M Mayer

**United States Bankruptcy Court
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Wednesday, May 6, 2020

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, 4/11/18, 1/9/19, 1/15/20

Docket 298

Tentative Ruling:

Updated tentative ruling as of 5/4/20. Off calendar. The court on its own motion continues the postconfirmation status conference to 6/3/20 at 11:00 a.m. to be conducted with the continued hearing on the motion of the California Department of Tax and Fee Administration to dismiss the case for failure to make plan payments because these matters are related. No appearances are required on 5/6/20.

Prior tentative ruling as of 1/14/20. The court has reviewed debtor's postconfirmation status report. No tentative ruling on the merits. Appearances are required on 1/15/20, but counsel may appear by telephone.

Prior tentative ruling as of 1/7/19. No tentative ruling on the merits. Appearances are required on 1/9/19 to report on the status of plan performance, but counsel may appear by telephone.

Prior 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.

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11:00 AM

CONT... Elbiali Ismail Osman

Chapter 11

Party Information

Debtor(s):

Elbiali Ismail Osman

Represented By

Carlos F Negrete - INACTIVE -

Alan W Forsley

Robert G Uriarte

Raymond H. Aver

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11:00 AM

2:17-24737 Advance Specialty Care, LLC

Chapter 11

#2.00 Hearing re: Objection To Claim Of Tung Nguyen-Phuc [Claim No. 15]

Docket 312

Tentative Ruling:

Sustain objection of debtor to the claim of Tung Nguyen-Phuc, Claim No. 15, for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are required on 5/6/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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 6, 2020

Hearing Room 1675

11:00 AM

2:18-11525 Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

#3.00 Cont'd status conference re: Motion for contempt
fr. 10/2/19, 12/11/19, 2/19/20

Docket 205

Tentative Ruling:

Updated tentative ruling as of 5/4/20. No tentative ruling on the merits. Appearances are required on 5/6/20 to discuss the status of the contested matter, including the status of the related state court litigation proceedings, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 2/18/20. No tentative ruling on the merits. Appearances are required on 2/19/20 to discuss the status of related state court litigation and the pending motion to dismiss or convert filed by the United States Trustee, but counsel may appear by telephone.

Prior tentative ruling as of 12/9/19. No tentative ruling on the merits. Appearances are required on 12/11/19 to discuss the status of related state court litigation, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/19. No tentative ruling on the merits. Appearances are required on 10/2/19, but counsel may appear by telephone.

Prior tentative ruling as of 8/19/19. Appearances are required on 8/21/19, 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 6, 2020

Hearing Room 1675

11:00 AM

CONT... Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

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, May 6, 2020

Hearing Room 1675

11:00 AM

2:18-11525 Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

#4.00 Cont'd hearing re: Debtors' objection to amended claim no. 9 and motion to estimate claim for purposes of voting and distribution fr. 10/2/19, 12/11/19, 2/19/20

Docket 103

Tentative Ruling:

Updated tentative ruling as of 5/4/20. No tentative ruling on the merits. Appearances are required on 5/6/20 to discuss the status of the contested matter, including the status of the related state court litigation proceedings, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 2/18/20. No tentative ruling on the merits. Appearances are required on 2/19/20 to discuss the status of related state court litigation, but counsel may appear by telephone.

Prior tentative ruling as of 12/9/19. No tentative ruling on the merits. Appearances are required on 12/11/19 to discuss the status of related state court litigation, but counsel may appear by telephone.

Prior tentative ruling as of 9/30/19. No tentative ruling on the merits. Appearances are required on 10/2/19, but counsel may appear by telephone.

Prior tentative ruling as of 8/19/19. 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 6, 2020

Hearing Room 1675

11:00 AM

CONT... **Shahriar Joseph Zargar and Shabnam Mesachi** **Chapter 11**

Appearances are required on 8/21/19, but counsel may appear by telephone.

Prior tentative ruling as of 5/6/19. Off calendar. Continued by stipulation and order to 8/21/19 at 11:00 a.m. No appearances are required on 5/8/19.

Prior tentative ruling as of 1/28/19. No tentative ruling on the merits. Appearances are required on 1/30/19, but counsel may appear by telephone.

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
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**

Wednesday, May 6, 2020

Hearing Room 1675

11:00 AM

CONT...

Shahriar Joseph Zargar and Shabnam Mesachi

Ashley M McDow

Chapter 11

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

Wednesday, May 6, 2020

Hearing Room 1675

11:00 AM

2:18-11525 Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

#5.00 Cont'd status conference re: Management of chapter 11 case
fr. 10/2/19, 12/11/19, 2/19/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/4/20. No tentative ruling on the merits. Appearances are required on 5/6/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 2/18/20. No tentative ruling on the merits. Appearances are required on 2/19/20 to discuss the status of related state court litigation, but counsel may appear by telephone.

Prior tentative ruling as of 12/9/19. No tentative ruling on the merits. Appearances are required on 12/11/19 to discuss the status of related state court litigation, but counsel may appear by telephone.

Updated tentative ruling as of 2/18/20. No tentative ruling on the merits. Appearances are required on 2/19/20 to discuss the status of related state court litigation, but counsel may appear by telephone.

Prior tentative ruling as of 12/9/19. No tentative ruling on the merits. Appearances are required on 12/11/19 to discuss the status of related state court litigation, 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 6, 2020

Hearing Room 1675

11:00 AM

CONT... Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

Prior tentative ruling as of 9/30/19. No tentative ruling on the merits. Appearances are required on 10/2/19, but counsel may appear by telephone.

Prior tentative ruling as of 8/19/19. No tentative ruling on the merits. Appearances are required on 8/21/19, but counsel may appear by telephone.

Revised tentative ruling as of 5/6/19. Off calendar. Continued by stipulation and order to 8/21/19 at 11:00 a.m. No appearances are required on 5/8/19.

Prior tentative ruling as of 1/28/19. No tentative ruling on the merits. Appearances are required on 1/30/19, 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. 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

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

Wednesday, May 6, 2020

Hearing Room 1675

11:00 AM

CONT... Shahriar Joseph Zargar and Shabnam Mesachi

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, May 6, 2020

Hearing Room 1675

11:00 AM

2:18-11525 Shahriar Joseph Zargar

Chapter 11

Adv#: 2:18-01144 Shadsirat v. Zargar et al

#6.00 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. 10/2/19, 12/11/19, 2/19/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/4/20. No tentative ruling on the merits. Appearances are required on 5/6/20 to discuss the status of the adversary proceeding, including the status of the related state court litigation proceedings, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 2/18/20. No tentative ruling on the merits. Appearances are required on 2/19/20 to discuss the status of related state court litigation, but counsel may appear by telephone.

Prior tentative ruling as of 12/9/19. No tentative ruling on the merits. Appearances are required on 12/11/19 to discuss the status of related state court litigation, but counsel may appear by telephone.

Updated tentative ruling as of 2/18/20. No tentative ruling on the merits. Appearances are required on 2/19/20 to discuss the status of related state court

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Wednesday, May 6, 2020

Hearing Room 1675

11:00 AM

CONT... **Shahriar Joseph Zargar**

Chapter 11

litigation, but counsel may appear by telephone.

Prior tentative ruling as of 12/9/19. No tentative ruling on the merits. Appearances are required on 12/11/19 to discuss the status of related state court litigation, but counsel may appear by telephone.

Prior tentative ruling as of 9/30/19. No tentative ruling on the merits. Appearances are required on 10/2/19, but counsel may appear by telephone.

Prior tentative ruling as of 8/19/19. No tentative ruling on the merits. Appearances are required on 8/21/19, but counsel may appear by telephone.

Revised tentative ruling as of 5/6/19. Off calendar. Continued by stipulation and order to 8/21/19 at 11:00 a.m. No appearances are required on 5/8/19.

Prior tentative ruling as of 1/28/19. No tentative ruling on the merits. Appearances are required on 1/30/19, but counsel may appear by telephone.

Prior tentative ruling as of 1/7/19. Off calendar. By order entered on 12/7/18, the status conference has been reset for 1/30/19 at 1:30 p.m. No appearances are required on 1/8/19.

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

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, May 6, 2020

Hearing Room 1675

11:00 AM

CONT... Shahriar Joseph Zargar

Ashley M McDow

Chapter 11

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, May 6, 2020

Hearing Room 1675

11:00 AM

2:18-13300 The 17/21 Group, LLC

Chapter 11

#7.00 Cont'd status conference re: Confirmation of plan
fr. 7/31/19, 8/28/19, 1/15/20

Docket 72

Tentative Ruling:

Off calendar. Final decree entered on 2/26/20. No appearances are necessary.

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 6, 2020

Hearing Room 1675

11:00 AM

2:18-21789 Samuel Marquez

Chapter 11

#8.00 Cont'd status conference re: Management of chapter 11 case
fr. 1/29/20, 2/5/20, 3/4/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/4/20. Off calendar. The court on its own motion continues the Chapter 11 bankruptcy case status conference to 6/10/20 at 3:00 p.m. to be conducted with the technical pretrial conference for the contested matter of debtor's objection to the claim of the Internal Revenue Service because these matters are related. No appearances are required on 5/6/20.

Prior tentative ruling as of 3/3/20. No tentative ruling on the merits. Appearances are required on 3/4/20, but counsel may appear by telephone.

Prior tentative ruling as of 2/3/20. No tentative ruling on the merits. Appearances are required on 2/5/20, but counsel may appear by telephone.

Prior tentative ruling as of 1/27/20. The United States Trustee filed a notice of delinquency in filing United States Trustee reporting requirements regarding insurance coverage on debtor's motor vehicle. No tentative ruling on the merits. Appearances are required on 1/29/20, but counsel may appear by telephone.

Prior tentative ruling as of 10/15/19. No tentative ruling on the merits. Appearances are required on 10/16/19, but counsel may appear by telephone.

Prior tentative ruling as of 9/9/19. No tentative ruling on the merits. Appearances are required on 9/11/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. No tentative ruling on the merits. Appearances are required on 6/26/19, but counsel may appear by telephone.

Prior tentative ruling as of 3/25/19. No tentative ruling on the merits. Appearances are required on 3/27/19, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
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Wednesday, May 6, 2020

Hearing Room 1675

11:00 AM

CONT... Samuel Marquez

Chapter 11

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, May 6, 2020

Hearing Room 1675

11:00 AM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

#9.00 Hearing re: Debtor's Motion For Entry Of An Order: (A) Authorizing Sale Of Debtor's Real Property Located At 18940 South Camden Avenue, Laton, California 93242 [APN 055- 310-29], Free And Clear Of Liens, Claims, Encumbrances And Interests; And (B) Approving Overbid Procedures

Docket 434

Tentative Ruling:

Grant motion of debtor to sell the Camden property free and clear of liens, claims, encumbrances and interests in accordance with the terms of the purchase agreement and motion, approve overbidding procedures and authorize payment of secured property taxes as of closing and brokers' commission and deposit of net sales proceeds into client trust account of counsel for debtor for the reasons stated in the moving papers and for lack of timely written opposition. However, no tentative ruling as to the determination of the successful purchaser and whether such purchaser is a good faith purchaser under 11 U.S.C. 363(m), subject to the conduct of an auction if there are qualified overbidders. Appearances are required on 5/6/20, but counsel and self-represented parties must appear by telephone.

Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website. Thus, if an auction is to be conducted, it will be conducted telephonically, and the representatives of the bidders must participate telephonically.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, May 6, 2020

Hearing Room 1675

11:00 AM

CONT... Zacky & Sons Poultry, LLC

Chapter 11

Debtor(s):

Zacky & Sons Poultry, LLC

Represented By
Ron Bender
Juliet Y Oh
Todd M Arnold
Lindsey L Smith
Riley C Walter

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

Wednesday, May 6, 2020

Hearing Room 1675

11:00 AM

2:19-10596 Robert David Katz and Roslyn Soudry Katz

Chapter 11

#10.00 Status conference re: Post confirmation of plan

Docket 262

Tentative Ruling:

Updated tentative ruling as of 5/4/20. Off calendar. At a hearing on 4/29/20 in this case, the court on its own motion continues the postconfirmation status conference to 5/20/20 at 2:30 p.m. to be conducted with the further hearing on the final fee application of SulmeyerKupetz, former general bankruptcy counsel for debtors because these matters are related. No appearances are required on 5/6/20.

Party Information

Debtor(s):

Robert David Katz

Represented By
Mark M Sharf
Ori S Blumenfeld

Joint Debtor(s):

Roslyn Soudry Katz

Represented By
Mark M Sharf
Ori S Blumenfeld

Movant(s):

Robert David Katz

Represented By
Mark M Sharf
Ori S Blumenfeld

Roslyn Soudry Katz

Represented By
Mark M Sharf
Mark M Sharf
Mark M Sharf
Ori S Blumenfeld

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, May 6, 2020

Hearing Room 1675

11:00 AM

CONT...

Robert David Katz and Roslyn Soudry Katz

Ori S Blumenfeld

Ori S Blumenfeld

Chapter 11

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

Wednesday, May 6, 2020

Hearing Room 1675

11:30 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#11.00 Cont'd status conference re: Motion for order disallowing proof of claim no. 7-1 filed by Ghazer Zehnaly fr. 5/29/19, 6/25/19, 3/4/20

Docket 343

Tentative Ruling:

Updated tentative ruling as of 5/4/20. No tentative ruling on the merits. Appearances are required on 5/6/20 to discuss the status of the adversary proceeding, including the status of settlement discussions and the setting of further proceedings, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/3/20. The court has reviewed creditor Zehnaly's unilateral status report for this contested matter. No tentative ruling on the merits. Appearances are required on 3/4/20 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. Appearances are required on 6/25/19 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 5/28/19. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, May 6, 2020

Hearing Room 1675

11:30 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Appearances are required on 5/29/19 to discuss scheduling of further proceedings, including discovery and trial.

Prior tentative ruling as of 5/2/16. Appearances are required on 5/4/16, but counsel may appear by telephone.

Prior tentative ruling as of 4/4/16. The court has reviewed debtor's unilateral status report. No tentative ruling on the merits. Appearances are required on 4/5/16 to discuss status of mediation and scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 2/22/16. The court has reviewed debtor's unilateral status report. No tentative ruling on the merits. Appearances are required on 2/24/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/28/15. No tentative ruling on the merits. Appearances are required on 9/30/15 to discuss scheduling of pretrial and trial proceedings.

Prior tentative ruling. Treat as a contested matter under FRBP 9014 and set schedule of pretrial and trial proceedings. Parties should advise the court on their pretrial and trial needs. The court also notes that claimant failed to provide a judge's copy of the opposition which have separately tabbed exhibits as required by Local Bankruptcy 5005-2(d) and will have to provide such copy.

Debtor's evidentiary objection to exhibits in support of the opposition appears to have merit, and while the court might sustain the objection, the court will afford an opportunity to claimant to support declarations to authenticate the exhibits as well as to provide the declaration of claimant under penalty of perjury to support the factual assertions in the opposition. The court is not satisfied that the declaration of counsel in support of the opposition is sufficient due to lack of foundation of the factual representations made therein. The court may continue the hearing for claimant to remedy these procedural deficiencies, or just set a litigation schedule. The court is not inclined to sustain the objection of debtor at this time without giving claimant an opportunity to cure the procedural deficiencies of the opposition in light of the amount of controversy and the facial

**United States Bankruptcy Court
Central District of California
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Wednesday, May 6, 2020

Hearing Room 1675

11:30 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

validity of the arguments in the opposition supported by the exhibits (i.e., there appears to be a bona fide dispute about whether debtor was entitled to retain claimant's \$500,000 deposit if there were omissions of material fact regarding marketable title to the subject real property as alleged in the opposition. Appearances are required on 9/16/15.

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, May 6, 2020

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.

- #12.00** Cont'd hearing re: Issues raised by the disputes over the proposed scheduling order lodged by the Plan Agent, including the deletion of the proposed language of paragraph 11 of the Plan Agent's proposed scheduling order and the objections of Victor Sahn and Douglas Christmas to their further depositions for matters relating to or arising out of the New Cause of Action
fr. 2/4/20, 3/17/20, 4/8/20

Docket 689

Tentative Ruling:

Updated tentative ruling as of 5/4/20. No tentative ruling on the merits. Appearances are required on 5/6/20 to discuss the status of the adversary proceeding, including the status of discovery efforts and scheduling of further proceedings in anticipation of the pretrial conference and referral of claims to the district court, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Revised and updated tentative ruling as of 4/7/20. Off calendar. Based on the informal inquiry of the court to counsel, the court on its own motion continues the status conference to 5/6/20 at 1:30 p.m. after counsel for the 400 South La Brea defendants informally advised the court that the parties desire a 30 day continuance of the status conference and will be submitting a stipulation for such a continuance and to address other matters regarding this litigation and proposed order there. No appearances are required on 4/8/20.

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Hearing Room 1675

1:30 PM

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

Chapter 11

Prior tentative ruling as of 3/16/20. In light of the emerging public health crisis from coronavirus disease (COVID-19) in the United States and the world, the court in an abundance of caution continues the status conference in this adversary proceeding scheduled for 3/17/20 at 1:30 p.m. to 4/8/20 at 1:30 p.m. Hopefully, with the continuance to 4/8/20, the court and the parties can assess the emerging and rapidly developing public health crisis regarding the coronavirus outbreak and determine that hearings in the matter may safely proceed. No appearances are required on 3/17/20.

Prior tentative ruling as of 2/3/20. Appearances are required on 2/4/20 for counsel and parties who want to be heard on the matter, 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):

Art and Architecture Books of the

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

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

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

Wednesday, May 6, 2020

Hearing Room 1675

1:30 PM

CONT...

Art and Architecture Books of the 21st Century

Chapter 11

Michael W Vivoli
Ashley M McDow
Ronald Rus
Fahim Farivar
Brian L Davidoff
Keith Patrick Banner

Jennifer Kellen

Represented By
J. Bennett Friedman

Michael D. Smith

Represented By
Brian L Davidoff

Kamran Gharibian

Represented By
Brian L Davidoff

Daryoush Dayan

Represented By
Brian L Davidoff

Cathay Bank, a California

Represented By
Ekwan E Rhow
Elliot C Harvey Schatmeier

Jennifer Kellen

Represented By
Michael D Sobkowiak

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

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

Wednesday, May 6, 2020

Hearing Room 1675

1:30 PM

CONT...

Art and Architecture Books of the 21st Century

Chapter 11

Carolyn A Dye
David J Richardson
Jason Balitzer
Steven Thomas
Stephen Sorensen

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

Wednesday, May 6, 2020

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.

- #12.10** Cont'd hearing re: Application of Sam S. Leslie, plan agent, for issuance of order approving the issuance of writ of execution and appointment of plaintiff as substitute custodian for U.S. Marshal in furtherance of execution of writ and notice of levy; and for order approving sale of artworks free and clear of any claim of lien or interest fr. 4/28/20

Docket 713

Tentative Ruling:

Updated tentative ruling as of 5/4/20. No tentative ruling on the merits. Appearances are required on 5/6/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 4/27/20 at 5:45 p.m. Off calendar. The court on its own motion continues the hearing on the Plan Agent's application for issuance of writ of execution and appointment as substitute custodian for U.S. Marshal in furtherance of writ and notice of levy and for order approving sale of artworks free and clear of any claim of lien or interest from April 28, 2020 at 2:30 p.m. to May 6, 2020 at 1:30 p.m., which is the date and time of the next status conference in this adversary proceeding. The purpose of the continuance is to provide time for the Plan Agent to file and serve a written reply to the opposition of Defendants 400 South La Brea, et al., to the application and to address the tentative ruling on the matter posted by the court on April 24, 2020 and for the court to review and

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

Wednesday, May 6, 2020

Hearing Room 1675

1:30 PM

CONT...

Art and Architecture Books of the 21st Century

Chapter 11

research the points and authorities asserted in the opposition. Accordingly, the hearing on the Plan Agent's application for issuance of writ of execution and appointment as substitute custodian for U.S. Marshall in furtherance of writ and notice of levy and for order approving sale of artworks free and clear of any claim of lien or interest is hereby continued from April 28, 2020 at 2:30 p.m. to May 6, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012, and the Plan Agent's reply must be filed and served no later than Friday May 1, 2020. No appearances are required on 4/28/20. A written order will be issued adopting these rulings on April 28, 2020, but was not issued earlier to technical problems with the court's order processing system.

Prior tentative ruling as of 4/24/20. Grant motion of plaintiff for issuance of order approving issuance of writ of execution and appointment of plaintiff as substitute custodian for U.S. Marshal in furtherance of execution of writ and notice of levy for the reasons stated in the moving papers and for lack of timely written opposition.

Deny motion in part for order approving sale of artworks free and clear of any claim of lien or interest for lack of legal authority. Plaintiff will be relying upon postjudgment collection remedies under California law pursuant to FRBP 7069 and FRCP 69, and plaintiff has not shown that California law authorizes the court to declare that the personal property to be sold at execution sales may be sold free and clear of liens and interests. Pursuant to California Code of Civil Procedure 701.630, any liens subordinate to the lien under which the property is sold and any state tax lien on the property are extinguished. An execution levy reaches only the judgment debtor's interest in the property—i.e., a third party's superior lien or interest is not affected by an execution sale. In other words, a purchaser at an execution sale acquires all right, title and interest of the judgment debtor subject to superior liens. California Code of Civil Procedure 701.040; see also, Ahart, Rutter Group California Practice Guide: Enforcing Judgments and Debts, paragraphs 6:713 and 6:714 (online edition, June 2019 update), citing Comments to California Code of Civil Procedure 700.060, 701.040 and 720.150 and Marriage of Finnell, 182 Cal.App.3d 52, 56 (1986).

Appearances are required on 4/28/20, but counsel and self-represented parties

**United States Bankruptcy Court
Central District of California
Los Angeles
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Wednesday, May 6, 2020

Hearing Room 1675

1:30 PM

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

must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Art and Architecture Books of the

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

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
Ronald Rus
Fahim Farivar

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

Wednesday, May 6, 2020

Hearing Room 1675

1:30 PM

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

Brian L Davidoff
Keith Patrick Banner

Jennifer Kellen

Represented By
J. Bennett Friedman

Michael D. Smith

Represented By
Brian L Davidoff

Kamran Gharibian

Represented By
Brian L Davidoff

Daryoush Dayan

Represented By
Brian L Davidoff

Cathay Bank, a California

Represented By
Ekwan E Rhow
Elliot C Harvey Schatmeier

Jennifer Kellen

Represented By
Michael D Sobkowiak

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
Steven Thomas

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

Wednesday, May 6, 2020

Hearing Room 1675

1:30 PM

CONT...

Art and Architecture Books of the 21st Century
Stephen Sorensen

Chapter 11

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

Wednesday, May 6, 2020

Hearing Room 1675

2:30 PM

2:12-15626 Forbco Sizzler Partners, L.P.

Chapter 11

#13.00 Cont'd hearing re: Motion to convert cases to chapter 7
fr. 4/1/20

Docket 29

***** VACATED *** REASON: Per stip & order entered on 4/14/2020- st**

Tentative Ruling:

Off calendar. The motion was resolved by stipulation and order. No
appearances are necessary.

Party Information

Debtor(s):

Forbco Sizzler Partners, L.P.

Represented By

Robert E Opera

Sean A OKeefe

Alastair M Gesmundo

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

Wednesday, May 6, 2020

Hearing Room 1675

2:30 PM

2:12-15626 Forbco Sizzler Partners, L.P.

Chapter 11

#14.00 Cont'd status conference re: Post confirmation of plan
fr. 1/8/20, 3/4/20, 4/15/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/4/20. The court has reviewed debtors' status report. No tentative ruling on the merits. Appearances are required on 5/6/20 to discuss the status of debtors' efforts to sell their assets and their tax and plan compliance, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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, May 6, 2020

Hearing Room 1675

2:30 PM

2:12-15627 W & J Higgins Investments, L.P.

Chapter 11

#15.00 Cont'd hearing re: Motion to convert cases to chapter 7
fr. 4/1/20

Docket 26

***** VACATED *** REASON: Per stip & order entered on 4/14/2020- st**

Tentative Ruling:

Off calendar. The motion was resolved by stipulation and order. No
appearances are necessary.

Party Information

Debtor(s):

W & J Higgins Investments, L.P.

Represented By
Robert E Opera
Sean A OKeefe
Andrew B Levin

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

Thursday, May 7, 2020

Hearing Room 1675

9:30 AM

2:19-24474 Eduardo Rosales and Huong Vu Rosales

Chapter 7

#1.00 Reaffirmation Agreement Between Debtor and Orange County's Credit Union

Docket 14

***** VACATED *** REASON: RESCHEDULED TO 7/16/2020 AT 9:30
A.M. -mb**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Eduardo Rosales

Represented By
Arlene M Tokarz

Joint Debtor(s):

Huong Vu Rosales

Represented By
Arlene M Tokarz

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, May 7, 2020

Hearing Room 1675

9:30 AM

2:19-24640 Dawit Masresha Alemayehu

Chapter 7

#2.00 Reaffirmation Agreement Between Debtor and Capital One Auto Finance, a division of Capital One, N.A.

Docket 10

***** VACATED *** REASON: RESCHEDULED TO 7/16/2020 AT 9:30
A.M. -mb**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Dawit Masresha Alemayehu

Represented By
Michael Jay Berger

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, May 7, 2020

Hearing Room 1675

9:30 AM

2:19-25110 James Anthony Choi

Chapter 7

#3.00 Reaffirmation Agreement Between Debtor and Ally Bank

Docket 7

***** VACATED *** REASON: RESCHEDULED TO 7/16/2020 AT 9:30
A.M. -mb**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

James Anthony Choi

Represented By
Donna R Dishbak

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, May 7, 2020

Hearing Room 1675

9:30 AM

2:20-10620 Paul Richard Archambault

Chapter 7

#4.00 Reaffirmation Agreement Between Debtor and WILSHIRE CONSUMER CREDIT

Docket 8

***** VACATED *** REASON: RESCHEDULED TO 7/16/2020 AT 9:30 A.M. -mb**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Paul Richard Archambault

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**

Thursday, May 7, 2020

Hearing Room 1675

9:30 AM

2:20-10639 Yolanda A Montoya

Chapter 7

#5.00 Reaffirmation Agreement Between Debtor and American Honda Finance Corporation

Docket 8

***** VACATED *** REASON: RESCHEDULED TO 7/16/2020 AT 9:30
A.M. -mb**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Yolanda A Montoya

Represented By
Michael H Colmenares

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, May 7, 2020

Hearing Room 1675

9:30 AM

2:20-10998 Henry Isaias Lara

Chapter 7

#6.00 Reaffirmation Agreement Between Debtor and Mercedes-Benz Financial Services USA LLC

Docket 10

***** VACATED *** REASON: RESCHEDULED TO 7/16/2020 AT 9:30
A.M. -mb**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Henry Isaias Lara

Represented By
Ali R Nader

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, May 7, 2020

Hearing Room 1675

9:30 AM

2:20-11275 Jose T Gonzalez Vela

Chapter 7

#7.00 Reaffirmation Agreement Between Debtor and LBS Financial Credit Union

Docket 8

***** VACATED *** REASON: RESCHEDULED TO 7/16/2020 AT 9:30
A.M. -mb**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jose T Gonzalez Vela

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, May 7, 2020

Hearing Room 1675

9:30 AM

2:20-11358 Erica Williams

Chapter 7

#8.00 Reaffirmation Agreement Between Debtor and CarMax Auto Finance

Docket 11

***** VACATED *** REASON: RESCHEDULED TO 7/16/2020 AT 9:30
A.M. -mb**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Erica Williams

Pro Se

Trustee(s):

John P Pringle (TR)

Pro Se

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

Thursday, May 7, 2020

Hearing Room 1675

9:30 AM

2:20-11654 Therese Renee Whitten

Chapter 7

#9.00 Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation

Docket 9

***** VACATED *** REASON: RESCHEDULED TO 7/16/2020 AT 9:30
A.M. -mb**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Therese Renee Whitten

Represented By
Michael Jay Berger

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, May 7, 2020

Hearing Room 1675

9:30 AM

2:20-11992 Jose Angel Barajas and Emma Alejandra Ramirez

Chapter 7

#10.00 Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation

Docket 8

***** VACATED *** REASON: RESCHEDULED TO 7/16/2020 AT 9:30
A.M. -mb**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jose Angel Barajas

Represented By
Raymond Perez

Joint Debtor(s):

Emma Alejandra Ramirez

Represented By
Raymond Perez

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, May 7, 2020

Hearing Room 1675

9:30 AM

2:20-11992 Jose Angel Barajas and Emma Alejandra Ramirez

Chapter 7

#11.00 Reaffirmation Agreement Between Debtor and Mechanics Bank

Docket 10

*** VACATED *** REASON: RESCHEDULED TO 7/16/2020 AT 9:30
A.M. -mb

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jose Angel Barajas

Represented By
Raymond Perez

Joint Debtor(s):

Emma Alejandra Ramirez

Represented By
Raymond Perez

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**

Friday, May 8, 2020

Hearing Room 1675

10:00 AM

2:19-15184 Edmond Zarookian

Chapter 7

#1.00 EVIDENTIARY HEARING RE: United States Trustee's motion to dismiss chapter 7 case with a refiling bar pursuant to 11 U.S.C. §707(b)(3)(A), or, in the alternative, to further extend time to file a complaint under §727 fr. 2/11/20, 3/3/20, 4/3/20

Docket 38

***** VACATED *** REASON: Cont'd from 5/8/20 to 6/25/20 at 10:00 a.m. per stip & order entered on 4/10/20-mb.**

Courtroom Deputy:

[Cont'd from 5/8/20 to 6/25/20 at 10:00 a.m. per stip & order entered on 4/10/20]

Tentative Ruling:

Updated tentative ruling as of 4/10/20. Off calendar. Continued by stipulation and order to 6/25/20 at 10:00 a.m. No appearances are required on 5/8/20.

Prior tentative ruling as of 3/20/20. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the chief judge of the United States District Court for the Central District of California issued an Order of the Chief Judge No. 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion must and does vacate the evidentiary hearing for the contested matter of the motion of United States Trustee to dismiss this bankruptcy case with a one-year refiling bar scheduled for April 3, 2020 at 10:00 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012 because in person appearances are not permitted in the courthouse on that date. No appearances are required on April 3, 2020 at 10:00 a.m. as the evidentiary hearing on that date is

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

Friday, May 8, 2020

Hearing Room 1675

10:00 AM

CONT... **Edmond Zarookian**

Chapter 7

vacated. Based on the stipulation of the parties, the court has issued an order approving the stipulation and continued the evidentiary hearing to May 8, 2020 at 10:00 a.m.

Prior tentative ruling. Treat the motion of United States Trustee to dismiss with a one year refiling bar on grounds of debtor's bad faith as a contested matter under FRBP 9014 since assessment of debtor's good or bad faith is dependent on credibility determinations of debtor's testimony in his declaration and the supporting evidence of the United States Trustee, or alternatively, deny the motion to dismiss without prejudice, and allow United States Trustee an extension of 60 days from the date of the hearing to file a complaint to deny discharge under 11 U.S.C. 727 for cause shown under FRBP 4004(b) in that the United States Trustee has diligently pursued his investigation of possible actions against debtor before the deadline of 1/6/20 and timely filed the motion to extend as shown by his office's examination of debtor at the 11 U.S.C. 341(a) meetings of creditors on 6/4/19, 9/24/19 and 10/21/19 as well as extensive forensic examination of debtor's credit card transactions and elected to seek dismissal first rather than filing an adversary proceeding to deny discharge, which would have been moot if the dismissal had been granted, and that a short extension of time of 60 days for the preparation of a complaint to deny discharge would not prejudice debtor or unduly delay the administration of this case. *In re Jahangiri*, No. 18-31609-dwh7, 2018 WL 5255216 (Bankr. D. Or. 2018) (collecting cases).
Appearances are required on 3/3/20, but counsel may appear by telephone.

Party Information

Debtor(s):

Edmond Zarookian

Represented By
Sevan Gorginian

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 12, 2020

Hearing Room 1675

10:30 AM

2:19-24973 John A. Marrone

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(U.S. Bank NA VS Debtor)

Docket 16

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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, and grants request for extraordinary relief in paragraph 9 for in rem relief under 11 U.S.C. 362(d)(4). The 14-day waiting period under FRBP 4001(a)(3) is waived.

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

No appearances are required on 5/12/20.

Party Information

Debtor(s):

John A. Marrone

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**

Tuesday, May 12, 2020

Hearing Room 1675

10:30 AM

2:20-11302 Qi Huang

Chapter 7

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

Docket 7

***** VACATED *** REASON: Notice of voluntary dismissal filed on 5/5/20-
mb.**

Tentative Ruling:

Off calendar. Motion voluntarily dismissed by notice filed on 5/5/20. No appearances are required.

Party Information

Debtor(s):

Qi Huang

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, May 12, 2020

Hearing Room 1675

10:30 AM

2:20-12602 Patricia Jaime

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(Exeter Finance, LLC VS Debtor)

Docket 11

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 of the hearing date. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

No appearances are required on 5/12/20.

Party Information

Debtor(s):

Patricia Jaime

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**

Tuesday, May 12, 2020

Hearing Room 1675

10:30 AM

2:20-12779 Robert Allende

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(Bank of America NA VS Debtor)

Docket 12

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 of the hearing date. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

No appearances are required on 5/12/20.

Party Information

Debtor(s):

Robert Allende

Represented By
James G. Beirne

Movant(s):

Bank of America, N.A.

Represented By
Robert P Zahradka

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

Tuesday, May 12, 2020

Hearing Room 1675

10:30 AM

CONT... Robert Allende

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, May 12, 2020

Hearing Room 1675

10:30 AM

2:20-13087 Blanca Alvarez

Chapter 7

#5.00 Hearing re: Motion for relief from stay
(TD Auto Finance LLC VS Debtor)

Docket 12

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 of the hearing date. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

No appearances are required on 5/12/20.

Party Information

Debtor(s):

Blanca Alvarez

Represented By
Lauren M Foley

Movant(s):

TD Auto Finance LLC

Represented By
Jennifer H Wang

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

Tuesday, May 12, 2020

Hearing Room 1675

10:30 AM

CONT... Blanca Alvarez

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, May 12, 2020

Hearing Room 1675

10:30 AM

2:20-13243 Marlene Bobadilla

Chapter 7

#6.00 Hearing re: Motion for relief from stay
(SchoolsFirst Federal Credit Union VS Debtor)

Docket 10

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 of the hearing date. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

No appearances are required on 5/12/20.

Party Information

Debtor(s):

Marlene Bobadilla

Represented By
Brian J Soo-Hoo

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, May 12, 2020

Hearing Room 1675

1:30 PM

2:14-22240 Shany Benmoshe

Chapter 7

Adv#: 2:20-01060 Ben-Moshe et al v. California State Board Of Equalization

#7.00 Status conference re: Complaint for 1. declaratory relief; 2. Violation of discharge

Docket 1

***** VACATED *** REASON: Another summons issued, status conference
reset to 6/9/20 at 1:30 p.m.-mb.**

Tentative Ruling:

Off calendar. Status conference reset to 6/9/20 at 1:30 p.m. because another summons was issued. No appearances are required on 5/12/20.

Party Information

Debtor(s):

Shany Benmoshe

Represented By
Simon Aron
Barry E Cohen

Defendant(s):

California State Board Of

Pro Se

Plaintiff(s):

Shany Ben-Moshe

Represented By
Barry E Cohen

Shany Benmoshe

Represented By
Barry E Cohen

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 12, 2020

Hearing Room 1675

1:30 PM

2:16-24760 Philip Joseph Jaurigui

Chapter 7

Adv#: 2:18-01351 Mover v. Jaurigui

#8.00 Cont'd status conference re: Complaint for nondischargeability under 11 U.S.C. §§523(a)(2)(A), 523(a)(2)(B), 523(a)(6); and objection to discharge under §§727(a)(2), 727(a)(4)
fr. 9/17/19, 1/14/20, 3/10/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/8/20. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 5/12/20 to discuss the status of the adversary proceeding, including the status of the pending mediation, outstanding discovery, whether the trial can be conducted remotely by videoconferencing as opposed to in person and when a pretrial conference and other further proceedings should be set, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/9/20. Continued by stipulation and order to 5/12/20 at 1:30 p.m. No appearances are required on 3/10/20.

Prior tentative ruling as of 1/13/20. The court has reviewed the joint status report. Appearances are required on 1/14/20 to discuss scheduling of pretrial conference and coordination of trial with related adversary proceeding, but

**United States Bankruptcy Court
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1:30 PM

CONT... **Philip Joseph Jaurigui**
counsel may appear by telephone.

Chapter 7

Prior tentative ruling as of 9/16/19. Because the discovery cutoff date was extended to 12/31/19 and discovery is continuing to that date, the court was inclined to set a post-discovery status conference or a pretrial conference for after the discovery cutoff date. Appearances are required on 9/17/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. Appearances are required on 6/25/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/10/19. No tentative ruling on the merits. Appearances are required on 6/11/19, but counsel may appear by telephone.

Prior tentative ruling. Set a discovery cutoff date of 8/30/19 and a post-discovery status conference on 9/17/19 at 1:30 p.m. A joint status report is due on 9/10/19. Appearances are required on 1/8/19, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Philip Joseph Jaurigui

Represented By
Leonard Pena

Defendant(s):

Philip Joseph Jaurigui

Pro Se

Plaintiff(s):

Jonathan Mover

Represented By
Steven R Fox

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 12, 2020

Hearing Room 1675

1:30 PM

2:16-24760 Philip Joseph Jaurigui

Chapter 7

Adv#: 2:18-01352 Swing House Rehearsal and Recording, Inc. v. Jaurigui

- #9.00** Cont'd status conference re: Complaint by Swing House Rehearsal and Recording, Inc. against Philip Joseph Jaurigui for nondischargeability under 11 U.S.C. §§523(A)(4) and 523(a)(6); and objection to discharge under §727(a)(4) fr. 9/17/19, 1/14/20, 3/10/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/8/20. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 5/12/20 to discuss the status of the adversary proceeding, including the status of the pending mediation, outstanding discovery, whether the trial can be conducted remotely by videoconferencing as opposed to in person and when a pretrial conference and other further proceedings should be set, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/9/20. Off calendar. Continued by stipulation and order to 5/12/20 at 1:30 p.m. No appearances are required on 3/10/20.

Prior tentative ruling as of 1/13/20. The court has reviewed the joint status report. Appearances are required on 1/14/20 to discuss scheduling of pretrial conference and coordination of trial with related 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, May 12, 2020

Hearing Room 1675

1:30 PM

CONT... Philip Joseph Jaurigui

Chapter 7

Prior tentative ruling as of 9/16/19. Because the discovery cutoff date was extended to 12/31/19 and discovery is continuing to that date, the court was inclined to set a post-discovery status conference or a pretrial conference for after the discovery cutoff date. Appearances are required on 9/17/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. Appearances are required on 6/25/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/10/19. No tentative ruling on the merits. Appearances are required on 6/11/19, but counsel may appear by telephone.

Prior tentative ruling. Set a discovery cutoff date of 8/30/19 and a post-discovery status conference on 9/17/19 at 1:30 p.m. A joint status report is due on 9/10/19. Appearances are required on 1/8/19, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Philip Joseph Jaurigui

Represented By
Leonard Pena

Defendant(s):

Philip Joseph Jaurigui

Pro Se

Plaintiff(s):

Swing House Rehearsal and

Represented By
Steven R Fox

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 12, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01248 Goodrich v. Blue District Distributors, LLC

- #10.00** Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542
fr. 10/1/19, 2/18/20, 4/14/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/8/20. Off calendar. The court has reviewed plaintiff's unilateral status report stating that the parties are settling this matter and that a motion to approve the settlement was filed on 4/29/20. Notice of the settlement motion is pursuant to LBR 9013-1(o). The court on its own motion continues the status conference to 6/23/20 at 1:30 p.m. pending expiration of the 14-day period to object and request a hearing on the settlement motion. No appearances are required on 5/12/20. Counsel for plaintiff to notify counsel for defendant of the continuance.

Prior tentative ruling as of 4/10/20. No tentative ruling on the merits. Appearances are required on 4/14/20 to discuss status of settlement efforts and setting of further proceedings, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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

Tuesday, May 12, 2020

Hearing Room 1675

1:30 PM

CONT... SOCALDEAL INC

Chapter 7

Prior tentative ruling as of 2/18/20. Off calendar. The court has reviewed the joint status report representing that the matter is being settled and the settlement is now being documented. The court on its own motion continues the status conference to 4/14/20 at 1:30 p.m., so that the parties can document their settlement and submit a dispositive stipulation and proposed order. No appearances are required on 2/18/20, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report, indicating that the parties had not had their initial meeting of counsel under LBR 7026-1. The parties should report if they have complied with LBR 7026-1. Set a discovery cutoff date of 1/31/20, order the matter to mediation with the parties selecting a mediator and an alternate by 10/31/19. Set a post-discovery status conference for 2/18/20 at 1:30 p.m. with a status report due to be filed on 2/11/20. Appearances are required on 10/1/19, but counsel may appear by telephone.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Blue District Distributors, LLC

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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

Tuesday, May 12, 2020

Hearing Room 1675

1:30 PM

CONT... SOCALDEAL INC

Chapter 7

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

Tuesday, May 12, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01249 Goodrich v. Capital One Business Credit Corporation

- #11.00** Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542
fr. 10/1/19, 1/14/20, 3/10/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/8/20. Off calendar. The court has reviewed plaintiff's unilateral status report stating that the parties are settling this matter and that a motion to approve the settlement will be filed shortly. The court on its own motion continues the status conference to 6/23/20 at 1:30 p.m. to allow time for plaintiff to file a motion for approval of settlement and have this motion determined. No appearances are required on 5/12/20. Counsel for plaintiff to notify counsel for defendant of the continuance.

Revised tentative ruling as of 3/10/20. Off calendar. The court has reviewed the joint status report filed on 3/9/20 representing that a settlement is now being documented. The court on its own motion continues the status conference to 5/12/20 at 1:30 p.m. to allow time for the parties to document their settlement and to submit a dispositive stipulation and proposed order. No appearances are required on 3/10/20.

Prior tentative ruling as of 1/13/20. The court has reviewed the joint status report. Apparently, the parties are requesting extension of the discovery cutoff date of 12/31/19, but have not established good cause. Appearances are required on 1/14/20, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report, stating that defendant has not responded to the complaint. Set a discovery cutoff date of 12/31/19, and set a post-discovery status conference for 1/14/20 at 1:30 p.m. with a status report due to be filed on 1/7/20. Appearances are required on 10/1/19, 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 12, 2020

Hearing Room 1675

1:30 PM

CONT... SOCALDEAL INC

Chapter 7

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Capital One Business Credit

Pro Se

Plaintiff(s):

David M Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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

Tuesday, May 12, 2020

Hearing Room 1675

1:30 PM

2:18-12552 Zero Energy Contracting, Inc

Chapter 7

Adv#: 2:20-01052 Mastan, Chapter 7 Trustee v. Esc Pros, LLC

#12.00 Status conference re: Complaint for: (1) Avoidance of Preferential Transfers [11 U.S.C. § 547]; (2) Disallowance of Claims [11 U.S.C. § 502] (3) Recovery of Avoided Transfers [11 U.S.C. § 550]; and (4) Preserving Transfers [11 U.S.C. § 551]

Docket 1

Tentative Ruling:

Off calendar. The court has reviewed plaintiff's unilateral status report stating that although default has been entered against the defendant, plaintiff has requested a continuance of the status conference for him to investigate and attempt to contact defendant which may not be operating temporarily due to the coronavirus pandemic and to prepare a motion for default judgment if the matter is not resolved. The court on its own motion continues the status conference to 7/21/20 at 1:30 p.m. to allow time for plaintiff to investigate and contact defendant and to prepare a motion for default judgment if needed. No appearances are required on 5/12/20.

Party Information

Debtor(s):

Zero Energy Contracting, Inc

Represented By
Devin Sreecharana
Andrew Harnisch
Grant Cartwright

Defendant(s):

Esc Pros, LLC

Pro Se

Plaintiff(s):

Peter J. Mastan, Chapter 7 Trustee

Represented By
Meghann A Triplett

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

Tuesday, May 12, 2020

Hearing Room 1675

1:30 PM

CONT... Zero Energy Contracting, Inc

Chapter 7

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, May 12, 2020

Hearing Room 1675

1:30 PM

2:18-12552 Zero Energy Contracting, Inc

Chapter 7

Adv#: 2:20-01053 Mastan, Chapter 7 Trustee v. JPMORGAN CHASE BANK, N.A.

- #13.00** Status conference re: Complaint for (1) Avoidance of preferential transfers [11 U.S.C. § 547]; (2) Avoidance of post-petition transfers [11 U.S.C. §549]; (3) Disallowance of claims [11 U.S.C. §502]; (4) Recovery of avoided transfers [11 U.S.C. §550]; and (5) Preserving Transfers [11 U.S.C. § 551]

Docket 1

Tentative Ruling:

The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 5/12/20 to discuss scheduling of pretrial proceedings, including discovery and whether the matter should be referred to mediation, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Zero Energy Contracting, Inc

Represented By
Devin Sreecharana
Andrew Harnisch
Grant Cartwright

Defendant(s):

JPMORGAN CHASE BANK, N.A.

Pro Se

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

Tuesday, May 12, 2020

Hearing Room 1675

1:30 PM

CONT... Zero Energy Contracting, Inc

Chapter 7

Plaintiff(s):

Peter J. Mastan, Chapter 7 Trustee

Represented By
Meghann A Triplett

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, May 12, 2020

Hearing Room 1675

1:30 PM

2:18-12552 Zero Energy Contracting, Inc

Chapter 7

Adv#: 2:20-01057 Mastan, Chapter 7 Trustee v. Fresh Air Environmental Services, Inc.

#14.00 Status conference re: Complaint for (1) Avoidance of preferential transfers [11 U.S.C. § 547]; (2) Disallowance of claims [11 U.S.C. §502]; (3) Recovery of avoided transfers [11 U.S.C. §550]; and (4) Preserving transfers [11 U.S.C. §551]

Docket 1

***** VACATED *** REASON: Cont'd from 5/12/20 to 7/21/20 at 1:30 p.m.
per stip & order entered on 5/1/20-pp.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 7/21/20 at 1:30 p.m. No appearances are required on 5/12/20.

Party Information

Debtor(s):

Zero Energy Contracting, Inc

Represented By
Devin Sreecharana
Andrew Harnisch
Grant Cartwright

Defendant(s):

Fresh Air Environmental Services,

Pro Se

Plaintiff(s):

Peter J. Mastan, Chapter 7 Trustee

Represented By
Meghann A Triplett

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, May 12, 2020

Hearing Room 1675

1:30 PM

2:18-12552 Zero Energy Contracting, Inc

Chapter 7

Adv#: 2:20-01058 Mastan, Chapter 7 Trustee v. Christianson Goens PLC et al

#15.00 Status conference re: Complaint for (1) Avoidance of preferential transfers [11 U.S.C. § 547]; (2) Disallowance of claims [11 U.S.C. §502]; (3) Recovery of avoided transfers [11 U.S.C. §550]; and (4) Preserving transfers [11 U.S.C. §551]

Docket 1

***** VACATED *** REASON: Cont'd from 5/12/20 to 7/21/20 at 1:30 p.m.
per stip & order entered on 5/1/20-pp.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 7/21/20 at 1:30 p.m. No appearances are required on 5/12/20.

Party Information

Debtor(s):

Zero Energy Contracting, Inc

Represented By
Devin Sreecharana
Andrew Harnisch
Grant Cartwright

Defendant(s):

Christianson Goens PLC

Pro Se

Tiffany M Christianson

Pro Se

Plaintiff(s):

Peter J. Mastan, Chapter 7 Trustee

Represented By
Meghann A Triplett

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, May 12, 2020

Hearing Room 1675

2:30 PM

2:20-11757 Skyline Global LLC

Chapter 7

#16.00 Hearing re: Motion to compel trustee to abandon real property located at 236 E. Penn St., Pasadena CA 91104

Docket 14

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to debtor's motion to compel trustee to abandon real property at 236 E. Penn St, Pasadena, California 91104, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants the motion for the reasons stated in the moving papers and for lack of timely written opposition. No appearances are required on 5/12/20. Counsel for debtor to upload and lodge a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Skyline Global LLC

Represented By
Raymond Perez
Adam M Leach

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, May 13, 2020

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, 10/23/19, 1/29/20, 4/1/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/11/20. No tentative ruling on the merits. Appearances are required on 5/13/20 to address the status of debtor's motion for final decree, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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, May 13, 2020

Hearing Room 1675

11:00 AM

2:12-15652 Dale Alfred Williams

Chapter 11

#2.00 Cont'd status conference re: Management of chapter 11 case
fr. 10/2/19, 12/11/19, 3/11/20

Docket 1

***** VACATED *** REASON: Cont'd from 5/13/20 to 8/5/20 at 11:00 a.m.
per stip & order entered on 5/8/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 5/11/20. Off calendar. Continued by stipulation and order to 8/5/20 at 11:00 a.m. No appearances are required on 5/13/20.

Revised tentative ruling as of 3/9/20. Off calendar. Continued by stipulation and order to 5/13/20 at 11:00 a.m. No appearances are required on 3/11/20.

Prior tentative ruling as of 12/10/19. Off calendar. Continued by stipulation and order to 3/11/20 at 11:00 a.m. No appearances are required on 12/11/19.

Revised tentative ruling as of 10/1/19. Off calendar. Continued by stipulation and order to 12/11/19 at 11:00 a.m. No appearances are required on 10/2/19.

Prior tentative ruling as of 8/26/19. Off calendar. Continued by stipulation and order to 10/2/19 at 11:00 a.m. No appearances are required on 8/28/19.

Prior tentative ruling as of 7/15/19. No tentative ruling on the merits. Appearances are required on 7/17/19, but counsel may appear by telephone.

Prior tentative ruling as of 7/2/19. Off calendar. Continued by stipulation and order to 7/17/19 at 11:00 a.m. No appearances are required on 7/3/19.

Prior tentative ruling as of 4/30/19. Appearances are required to discuss scheduling of further proceedings, including Phase 2 of the trial. Appearances are required on 5/1/19, but counsel may appear by telephone.

Party Information

Debtor(s):

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

Wednesday, May 13, 2020

Hearing Room 1675

11:00 AM

CONT... Dale Alfred Williams

Chapter 11

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, May 13, 2020

Hearing Room 1675

11:00 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#3.00 Cont'd hearing re: Motion to dismiss case for under 11 U.S.C. § 1112(B)
fr. 2/18/20, 2/19/20, 4/15/20

Docket 123

Tentative Ruling:

Updated and supplemental tentative ruling as of 5/12/20. The following updates and supplements the tentative ruling posted on 5/11/20: Deny motion to dismiss on grounds under 11 U.S.C. 1112(b)(4)(A) or (B) for the reasons stated in debtor's written opposition because the record does not demonstrate substantial or continuing loss to the estate and the absence of a reasonable likelihood of rehabilitation or gross mismanagement of the estate as debtor has acted in good faith in diligently negotiating a plan of reorganization with its creditors, including movant, to pay claims through refinancing the existing loan on its principal asset, its real estate, to resolve claim disputes through negotiating plan treatment or contested litigation and to reorganize its business by adopting a new business plan.

Updated tentative ruling as of 5/11/20. No tentative ruling on the merits. Appearances are required on 5/13/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted 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, May 13, 2020

Hearing Room 1675

11:00 AM

CONT... People Who Care Youth Center, Inc.

Chapter 11

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, May 13, 2020

Hearing Room 1675

11:00 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#4.00 Cont'd hearing re: Motion for order authorizing use of cash collateral and providing adequate protection pursuant to sections 361 and 363 of the bankruptcy code fr. 2/5/20, 4/15/20

Docket 125

Tentative Ruling:

Updated and supplemental tentative ruling as of 5/12/20. The following updates and supplements the tentative ruling posted on 5/11/20: Authorize extension of use of cash collateral for a limited period of time in order for debtor to continue its good faith efforts to propose and confirm a plan of reorganization as the parties which have an interest in cash collateral are adequately protected by a sufficient equity cushion in debtor's real property. The court will discuss with debtor and the parties the time needed to litigate pending matters so that the hearing on plan confirmation can proceed.

Updated tentative ruling as of 5/11/20. No tentative ruling on the merits. Appearances are required on 5/13/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(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**

Wednesday, May 13, 2020

Hearing Room 1675

11:00 AM

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
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Wednesday, May 13, 2020

Hearing Room 1675

11:00 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#5.00 Hearing re: Motion for order disallowing amended claim no. 3

Docket 161

Tentative Ruling:

Updated and supplemental tentative ruling as of 5/12/20. The following updates and supplements the tentative ruling posted on 5/11/20: Treat as a contested matter under FRBP 9014. Having considered the moving, opposing and reply papers, the court intends to treat the hearing on 5/13/20 as a status conference and set a discovery schedule and evidentiary hearing pursuant to LBR 3007-1(b)(5) as suggested by movant in its reply to claimant's opposition to the motion. The reason for this in the court's view is to provide the parties an opportunity to remedy deficiencies in their papers and fully present their positions. Claimant's papers are deficient because it has failed to substantiate the reasonableness of the claimed fees in the amended proof of claim by filing billing statements to support its fee requests. 1910 Partners v. Apartment Owners of Canterbury Place (In re 1910 Partners), BAP No. HI-16-1181 BTaL, 2017 WL 6273314 (9th Cir. BAP 2017). Movant raised a new argument in its reply in support of its motion to disallow claimant's amended proof of claim that the contractual claim for attorneys' fees was merged into the final judgment that claimant obtained against movant, and claimant should have the opportunity to respond to that new argument.

Updated tentative ruling as of 5/11/20. No tentative ruling on the merits. Appearances are required on 5/13/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount

**United States Bankruptcy Court
Central District of California
Los Angeles
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Wednesday, May 13, 2020

Hearing Room 1675

11:00 AM

CONT... People Who Care Youth Center, Inc. Chapter 11
on fees for attorneys and waiving all fees for self-represented parties.
Information about arranging a telephonic appearance through CourtCall is
posted on the court's website.

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, May 13, 2020

Hearing Room 1675

11:00 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#6.00 Cont'd hearing re: Confirmation of plan
fr. 2/19/20, 4/15/20

Docket 119

Tentative Ruling:

Updated and supplemental tentative ruling as of 5/12/20. The following updates and supplements the tentative ruling posted on 5/11/20: In light of debtor's second statement regarding exit financing in connection with its Chapter 11 plan, filed on 5/12/20, the hearing on plan confirmation should be continued for a short period of time in order for debtor to negotiate with the City of Los Angeles regarding the lien subordination cap in an amount that would allow plan confirmation and the exit financing with the replacement lender to go forward. The court will discuss with debtor and the parties the time needed for this purpose.

Updated tentative ruling as of 5/11/20. No tentative ruling on the merits. Appearances are required on 5/13/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 4/13/20. No tentative ruling on the merits. Plan confirmation appears to be a contested matter under FRBP 9014 since there is a dispute over feasibility of the plan based on creditor Acon's objection and its related motion to dismiss as well as debtor's objection to Acon's amended claim. It seems that the court should set a schedule of pretrial proceedings

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Los Angeles
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Wednesday, May 13, 2020

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11:00 AM

CONT... **People Who Care Youth Center, Inc.**
for litigation of these related contested matters.

Chapter 11

Appearances are required on 4/15/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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, May 13, 2020

Hearing Room 1675

11:00 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#7.00 Cont'd status conference re: Management of chapter 11 case
fr. 2/19/20, 3/11/20, 4/15/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/11/20. No tentative ruling on the merits. Appearances are required on 5/13/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

People Who Care Youth Center, Inc. Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Courtroom 1675 Calendar**

Wednesday, May 13, 2020

Hearing Room 1675

1:30 PM

2:18-16237 Alvin Yap Edillor

Chapter 7

#8.00 Cont'd hearing re: Motion of trustee for order approving settlement with debtor, Jocelyn Edillor, and Opehlia Edillor; and opposition of United States trustee to motion of trustee for order approving settlement with debtor, Jocelyn Edillor, and Ophelia Edillor fr. 4/7/20

Docket 57

Tentative Ruling:

Updated and supplemental tentative ruling as of 5/12/20. The following updates and supplements the tentative ruling posted on 5/11/20: The court agrees with the Chapter 7 trustee that debtor has no standing to object to the settlement since the order of the court only potentially affects the size of the estate and does not directly affect him (regardless of the side deal that he has with his sisters, the nondebtor settling parties, to repay them). In re Spirtos, BAP Nos. CC-04-1621 MoBK and CC-05-1118 MoBK, 2006 WL 6811021 (9th Cir. BAP 2002), slip op. at *7-10, citing Matter of Fondiller, 707 F.2d 441, 442 (9th Cir. 1983). However, it is unclear that debtor is filing the declaration is an objection to the settlement in his own right which he lacks standing to do. Since the settlement is contingent on the court's approval, it seems to the court that parties to the settlement could seek to withdraw from the settlement if they no longer wanted to go through with it.

The court will overrule the objections of the Chapter 7 trustee to debtor's declarations on grounds of FRE 401, 402 and 408 because the statements in the declaration are relevant to whether the settlement was negotiated in good faith, fair, equitable and reasonable within the meaning of In re A & C Properties, 784 F.2d 1377, 1380-1381 (9th Cir. 1986) and are not offered for an improper purpose within the meaning of FRE 408 as most of the statements were not made of settlement communications and those that were are not offered for the improper purpose of proving or disproving a disputed claim.

The Chapter 7 trustee as the party proposing a settlement has the burden of persuading the bankruptcy court that it is fair and equitable and should be

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CONT...

Alvin Yap Edillor

Chapter 7

approved. A & C Properties, 784 F.2d at 1381 (citation omitted). Ultimately, though, the bankruptcy court's role in approving any settlement under Rule 9019 is limited. "The law favors compromise and not litigation for its own sake, and as long as the bankruptcy court amply considered the various factors that determined the reasonableness of the compromise, the court's decision must be affirmed." Id. (citations omitted). Rather than an exhaustive investigation or a mini-trial on the merits, the bankruptcy court need only find that the settlement was negotiated in good faith and is reasonable, fair and equitable. Id. "It has been held that the [bankruptcy] court's proper role is 'to canvas the issues and see whether the settlement falls below the lowest point in the range of reasonableness.'" In re Pacific Gas & Electric Co., 304 B.R. 395, 417 (Bankr.N.D.Cal.2004) (citations omitted).

First, considering whether the settlement was negotiated in good faith, it appears that the Chapter 7 trustee has shown that the settlement was negotiated in good faith because the parties negotiated were represented by counsel and the negotiations were at arms length and the settlement resolves a potential litigation dispute based on a claim of fraudulent transfer that the estate may have.

Regarding the relevant factors stated in A & C Properties whether a settlement is fair, equitable and reasonable, are: (a) The probability of success in the litigation (in the court's view, based on this record, the estate does not have good probability of success because the statute of limitations for fraudulent transfer claims under California law is 4 years, which may be extended by a year from delayed discovery based on reasonable inability to discover actual fraud up to an absolute of 7 years under California Civil Code, Section 3439.09(a), (b) and (c), which is likely 4 years here and time-barred because the alleged fraudulent transfer was publicly recorded, any statute of limitations defense that the alleged fraudulent transferees have are waivable, while no payment was made for the allegedly fraudulent transfer, there is some indication of consideration because the transfer relieved debtor of the obligation to contribute to payment of the existing loan indebtedness on the property, there does not appear that a creditor in existence at the time of the alleged fraudulent transfer in 2011 since the creditors' claims filed in this case do not appear to go back as far as 2011 to provide standing for a constructive

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1:30 PM

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Alvin Yap Edillor

Chapter 7

fraudulent transfer claim under California Civil Code Section 3439.05 and there are few indicia of actual fraud under California Civil Code Section 3439.04(a) and (b) on this record, so the settlement appears to be a very favorable one for the estate, given these substantial hazards of litigation);

(b) the difficulties, if any, to be encountered in the matter of collection (no difficulties in collection are presented here because the settling parties have tendered the settlement payment to the Chapter 7 trustee);

(c) the complexity of the litigation involved, and the expense, inconvenience and delay necessarily attending it (the litigation does not seem to be complex, but the settlement would avoid the expense, inconvenience and delay of the estate having to prove its fraudulent transfer claim);

(d) the paramount interest of the creditors and a proper deference to their reasonable views in the premises (it appears to be in the interest of creditors, including the Chapter 7 trustee and his professionals, holding the largest claims in this case, to approve the settlement since it would pay 100 percent of allowed administrative expense claims, and probably most of the general unsecured claims).

A & C Properties, 784 F.2d at 1381 (citations omitted).

The court is inclined to approve the settlement based on the A & C Properties, given its limited role in reviewing a settlement under FRBP 9019.

The concerns raised by the United States Trustee go to whether the settlement is in good faith and fair, equitable and reasonable and are legitimately raised, though the court in its limited role in applying the A & C Properties factors determines that the settlement should be approved and gives much reliance on the public policy favoring settlement of litigation, on the fact that the parties were represented by counsel and negotiated the settlement at arms length and agreed to settle a potential litigation dispute, that is, the parties perceive there is value to them to settle potential litigation and avoid litigation costs despite the apparent weaknesses of the estate's potential litigation claim.

Updated tentative ruling as of 5/11/20. No tentative ruling on the merits. The court does not intend to issue a tentative ruling for this matter since it feels

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1:30 PM

CONT...

Alvin Yap Edillor

Chapter 7

that it would benefit hearing the argument of the parties without posting a tentative ruling. Appearances are required on 5/13/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the chief judge of the United States District Court for the Central District of California issued an Order of the Chief Judge No. 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court cannot conduct an in person hearing on the contested matter of the trustee's motion to approve compromise with the debtor, Jocelyn Edillor and Ophelia Edillor, which the court considers appropriate and necessary in light of the contentions raised in the pleadings. Therefore, the court on its own motion continues the hearing to a date on which it believes that the courthouse will be open so that the court can hear the arguments of the parties in person, May 13, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012. No appearances are required on April 7, 2020 at 2:30 p.m. as the hearing on that date is vacated.

Party Information

**United States Bankruptcy Court
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Los Angeles
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Wednesday, May 13, 2020

Hearing Room 1675

1:30 PM

CONT... Alvin Yap Edillor

Chapter 7

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
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Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, May 14, 2020

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.

- #1.00** Cont'd hearing re: Application of Sam S. Leslie, plan agent, for issuance of order approving the issuance of writ of execution and appointment of plaintiff as substitute custodian for U.S. Marshal in furtherance of execution of writ and notice of levy; and for order approving sale of artworks free and clear of any claim of lien or interest fr. 4/28/20, 5/6/20

Docket 713

Tentative Ruling:

Updated tentative ruling as of 5/8/20. No tentative ruling on the merits. Appearances are required on 5/14/20 to discuss scheduling discovery proceedings and an evidentiary hearing on the Banksy artwork ownership dispute, counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 5/4/20. No tentative ruling on the merits. Appearances are required on 5/6/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel

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Hearing Room 1675

11:00 AM

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

and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 4/27/20 at 5:45 p.m. Off calendar. The court on its own motion continues the hearing on the Plan Agent's application for issuance of writ of execution and appointment as substitute custodian for U.S. Marshal in furtherance of writ and notice of levy and for order approving sale of artworks free and clear of any claim of lien or interest from April 28, 2020 at 2:30 p.m. to May 6, 2020 at 1:30 p.m., which is the date and time of the next status conference in this adversary proceeding. The purpose of the continuance is to provide time for the Plan Agent to file and serve a written reply to the opposition of Defendants 400 South La Brea, et al., to the application and to address the tentative ruling on the matter posted by the court on April 24, 2020 and for the court to review and research the points and authorities asserted in the opposition. Accordingly, the hearing on the Plan Agent's application for issuance of writ of execution and appointment as substitute custodian for U.S. Marshall in furtherance of writ and notice of levy and for order approving sale of artworks free and clear of any claim of lien or interest is hereby continued from April 28, 2020 at 2:30 p.m. to May 6, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012, and the Plan Agent's reply must be filed and served no later than Friday May 1, 2020. No appearances are required on 4/28/20. A written order will be issued adopting these rulings on April 28, 2020, but was not issued earlier to technical problems with the court's order processing system.

Prior tentative ruling as of 4/24/20. Grant motion of plaintiff for issuance of order approving issuance of writ of execution and appointment of plaintiff as substitute custodian for U.S. Marshal in furtherance of execution of writ and notice of levy for the reasons stated in the moving papers and for lack of timely written opposition.

Deny motion in part for order approving sale of artworks free and clear of any claim of lien or interest for lack of legal authority. Plaintiff will be relying upon postjudgment collection remedies under California law pursuant to FRBP

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11:00 AM

CONT...

Art and Architecture Books of the 21st Century

Chapter 11

7069 and FRCP 69, and plaintiff has not shown that California law authorizes the court to declare that the personal property to be sold at execution sales may be sold free and clear of liens and interests. Pursuant to California Code of Civil Procedure 701.630, any liens subordinate to the lien under which the property is sold and any state tax lien on the property are extinguished. An execution levy reaches only the judgment debtor's interest in the property—i.e., a third party's superior lien or interest is not affected by an execution sale. In other words, a purchaser at an execution sale acquires all right, title and interest of the judgment debtor subject to superior liens. California Code of Civil Procedure 701.040; see also, Ahart, Rutter Group California Practice Guide: Enforcing Judgments and Debts, paragraphs 6:713 and 6:714 (online edition, June 2019 update), citing Comments to California Code of Civil Procedure 700.060, 701.040 and 720.150 and Marriage of Finnell, 182 Cal.App.3d 52, 56 (1986).

Appearances are required on 4/28/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Art and Architecture Books of the

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

Defendant(s):

**United States Bankruptcy Court
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Thursday, May 14, 2020

Hearing Room 1675

11:00 AM

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

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 Ronald Rus Fahim Farivar Brian L Davidoff Keith Patrick Banner
Jennifer Kellen	Represented By J. Bennett Friedman
Michael D. Smith	Represented By Brian L Davidoff
Kamran Gharibian	Represented By Brian L Davidoff
Daryoush Dayan	Represented By Brian L Davidoff
Cathay Bank, a California	Represented By Ekwan E Rhow Elliot C Harvey Schatmeier
Jennifer Kellen	Represented By Michael D Sobkowiak

Plaintiff(s):

THE OFFICIAL COMMITTEE OF	Represented By Victor A Sahn
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**United States Bankruptcy Court
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Los Angeles
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Thursday, May 14, 2020

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

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
Steven Thomas
Stephen Sorensen

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

Tuesday, May 19, 2020

Hearing Room 1675

10:30 AM

2:19-24787 Bradley Edward Barnes and Allison Platz Barnes

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(WVJP 2017-1, LP VS Debtors)

Docket 41

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 5/19/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042) and the Bankruptcy Court's General Order 20-02 of 3/19/20 as amended on 4/1/20 and 4/14/20. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Bradley Edward Barnes

Represented By
Susan I Montgomery

Joint Debtor(s):

Allison Platz Barnes

Represented By
Susan I Montgomery

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 19, 2020

Hearing Room 1675

10:30 AM

2:20-10628 Teofilo Aguirre Chavez

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(TD Auto Finance LLC VS Debtor)

Docket 20

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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.

Party Information

Debtor(s):

Teofilo Aguirre Chavez

Represented By
Benard C Udeozor

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 19, 2020

Hearing Room 1675

10:30 AM

2:20-13474 Deborah D. Baker

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(MidFirst Bank VS Debtor)

Docket 12

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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.

Party Information

Debtor(s):

Deborah D. Baker

Represented By
Julie J Villalobos

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 19, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01466 Avery v. Gia Phu Fashion Garment Co.

#4.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of fraudulent and unauthorized postpetition transfers
fr. 1/7/20, 3/24/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/15/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the global settlement which has been delayed to the pandemic. The court on its own motion continues the status conference to 8/18/20 at 1:30 p.m. No appearances are required on 5/19/20.

Prior tentative ruling as of 3/18/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the settlement and to allow additional time for plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 5/19/20 at 1:30 p.m. No appearances are required on 3/24/20.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference after the mediation between plaintiff and principals of debtor and related parties and allowing plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 3/24/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

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

Tuesday, May 19, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Gia Phu Fashion Garment Co.

Pro Se

Plaintiff(s):

Wesley H. Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, May 19, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01469 Avery v. Trinh Vuong Garment Co., Ltd.

#5.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential and fraudulent transfers fr. 1/7/20, 3/24/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/15/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the global settlement which has been delayed to the pandemic. The court on its own motion continues the status conference to 8/18/20 at 1:30 p.m. No appearances are required on 5/19/20.

Prior tentative ruling as of 3/18/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the settlement and to allow additional time for plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 5/19/20 at 1:30 p.m. No appearances are required on 3/24/20.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference after the mediation between plaintiff and principals of debtor and related parties and allowing plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 3/24/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

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

Tuesday, May 19, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Trinh Vuong Garment Co., Ltd.

Pro Se

Plaintiff(s):

Wesley H. Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, May 19, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01472 Avery v. Shanghai Medicines and Health Products Import and

#6.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential and fraudulent transfers fr. 1/7/20, 3/24/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/15/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the global settlement which has been delayed to the pandemic. The court on its own motion continues the status conference to 8/18/20 at 1:30 p.m. No appearances are required on 5/19/20.

Prior tentative ruling as of 3/18/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the settlement and to allow additional time for plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 5/19/20 at 1:30 p.m. No appearances are required on 3/24/20.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference after the mediation between plaintiff and principals of debtor and related parties and allowing plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 3/24/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

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

Tuesday, May 19, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Shanghai Medicines and Health

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, May 19, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01475 Avery v. Van

#7.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential and fraudulent transfers fr. 1/7/20, 3/24/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/15/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the global settlement which has been delayed to the pandemic. The court on its own motion continues the status conference to 8/18/20 at 1:30 p.m. No appearances are required on 5/19/20.

Prior tentative ruling as of 3/18/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the settlement and to allow additional time for plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 5/19/20 at 1:30 p.m. No appearances are required on 3/24/20.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference after the mediation between plaintiff and principals of debtor and related parties and allowing plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 3/24/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

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

Tuesday, May 19, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Trinh Thi Hong Van

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, May 19, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01476 Avery v. Chau

#8.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential, fraudulent, unauthorized postpetition transfers; and disallowance of claim fr. 1/7/20, 3/24/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/15/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the global settlement which has been delayed to the pandemic. The court on its own motion continues the status conference to 8/18/20 at 1:30 p.m. No appearances are required on 5/19/20.

Prior tentative ruling as of 3/18/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the settlement and to allow additional time for plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 5/19/20 at 1:30 p.m. No appearances are required on 3/24/20.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference after the mediation between plaintiff and principals of debtor and related parties and allowing plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 3/24/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

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

Tuesday, May 19, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Cong Ty Tnhh Anh Chau

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, May 19, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01477 Avery v. Shaoxing LeiLei Import & Export Company

#9.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of fraudulent, unauthorized postpetition transfers; and disallowance of claim fr. 1/7/20, 3/24/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/15/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the global settlement which has been delayed to the pandemic. The court on its own motion continues the status conference to 8/18/20 at 1:30 p.m. No appearances are required on 5/19/20.

Prior tentative ruling as of 3/18/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the settlement and to allow additional time for plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 5/19/20 at 1:30 p.m. No appearances are required on 3/24/20.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference after the mediation between plaintiff and principals of debtor and related parties and allowing plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 3/24/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

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

Tuesday, May 19, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Shaoxing LeiLei Import & Export

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, May 19, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01478 Avery v. Shaoxing Tuchang Knitting Textile Co., Ltd.

#10.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential fraudulent, unauthorized postpetition transfers; and disallowance of claim fr. 1/7/20, 3/24/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/15/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the global settlement which has been delayed to the pandemic. The court on its own motion continues the status conference to 8/18/20 at 1:30 p.m. No appearances are required on 5/19/20.

Prior tentative ruling as of 3/18/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the settlement and to allow additional time for plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 5/19/20 at 1:30 p.m. No appearances are required on 3/24/20.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference after the mediation between plaintiff and principals of debtor and related parties and allowing plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 3/24/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

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

Tuesday, May 19, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Shaoxing Tuchang Knitting Textile

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, May 19, 2020

Hearing Room 1675

1:30 PM

2:18-11475 Catherine Trinh

Chapter 11

Adv#: 2:19-01506 Trinh v. Second Generation, a California corporation

#11.00 Cont'd status conference re: Complaint for: (1) declaratory relief; (2) avoidance and recovery of preferential transfer; (3) recovery of property; (4) preservation of a preferential transfer; and (5) disallowance of claim
fr. 2/11/20, 3/24/20

Docket 1

***** VACATED *** REASON: Cont'd from 5/19/2020 to 7/21/2020 at 1:30 p.m. per stip & order entered on 4/21/2020 -st**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 7/21/20 at 1:30 p.m. No appearances are required on 5/19/20.

Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

Defendant(s):

Second Generation, a California

Pro Se

Plaintiff(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, May 19, 2020

Hearing Room 1675

1:30 PM

2:19-24787 Bradley Edward Barnes

Chapter 7

Adv#: 2:20-01064 WVJP 2017-1, LP v. Barnes et al

#12.00 Status conference re: Complaint for 1. for false pretenses, a false representation or actual fraud pursuant to 11 U.S.C. §523(a)(6); in the alternative 2. for false pretenses, a false representation or actual fraud pursuant to 11 U.S.C. §523(a)(2)(A); 3. for false pretenses, a false representation or actual fraud pursuant to 11 U.S.C. §523(a)(2)(B); 4. for willful and malicious injury Y 11 U.S.C. §523(a)(6); 5. for determination that defendant's debts are not dischargeable pursuant to 11 U.S.C. §727(a)(2); 6. for a determination that defendant's debts are not dischargeable pursuant to 11 U.S.C. §727(a)(3); 7. for a determination that defendant's debts are not dischargeable pursuant to 11 U.S.C. §727(a)(4); and 8. for a determination that defendant's debts are not dischargeable pursuant to 11 U.S.C. §727(a)(5)

Docket 1

***** VACATED *** REASON: Cont'd from 5/19/20 to 6/16/20 at 1:30pm
per stip & order entered on 4/22/20-st**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 6/16/20 at 1:30 p.m. No appearances are required on 5/19/20.

Party Information

Debtor(s):

Bradley Edward Barnes

Represented By
Susan I Montgomery

Defendant(s):

Bradley Edward Barnes

Pro Se

Allison Platz Barnes

Pro Se

Joint Debtor(s):

Allison Platz Barnes

Represented By
Susan I Montgomery

Plaintiff(s):

WVJP 2017-1, LP

Represented By

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

Tuesday, May 19, 2020

Hearing Room 1675

1:30 PM

CONT... Bradley Edward Barnes

Chapter 7

Joseph Chora

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 19, 2020

Hearing Room 1675

2:30 PM

2:17-25817 Denise Ann Hatfield

Chapter 7

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

Docket 39

Tentative Ruling:

Off calendar. In light of the lack of a timely written objection to the trustee's final report and fee application, the court determines that oral argument on the final report and fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written objection as consent to the approval of the final report and fee application pursuant to Local Bankruptcy Rule 9013-1(h), rules on the final report and fee application on the papers, and approves the final report and fee application of trustee for reasons stated in the final report and fee application and for lack of timely written objection. No appearances are required on 5/19/20. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Denise Ann Hatfield

Represented By
Michael E Clark

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Steven Werth

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

Tuesday, May 19, 2020

Hearing Room 1675

2:30 PM

2:17-25817 Denise Ann Hatfield

Chapter 7

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

Docket 37

Tentative Ruling:

Off calendar. In light of the lack of a timely written objection to the final fee application of attorney for trustee, the court determines that oral argument on the final fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written objection as consent to the approval of the final fee application pursuant to Local Bankruptcy Rule 9013-1(h), rules on the final fee application on the papers, and approves the final fee application of attorney for trustee for reasons stated in the final fee application and for lack of timely written objection. No appearances are required on 5/19/20. Trustee or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Denise Ann Hatfield

Represented By
Michael E Clark

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Steven Werth

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

Tuesday, May 19, 2020

Hearing Room 1675

2:30 PM

2:18-13097 Jose Aguilar

Chapter 7

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

Docket 31

Tentative Ruling:

Off calendar. In light of the lack of a timely written objection to the trustee's final report and fee application, the court determines that oral argument on the final report and fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written objection as consent to the approval of the final report and fee application pursuant to Local Bankruptcy Rule 9013-1(h), rules on the final report and fee application on the papers, and approves the final report and fee application of trustee for reasons stated in the final report and fee application and for lack of timely written objection. No appearances are required on 5/19/20. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Jose Aguilar

Represented By

Jennifer Ann Aragon - SUSPENDED -

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 19, 2020

Hearing Room 1675

2:30 PM

2:18-20957 Raza Kazmi and Maha Rehman

Chapter 7

#16.00 Hearing re: USAA Savings Bank's motion to dismiss

Docket 46

***** VACATED *** REASON: Cont'd from 5/19/20 to 7/7/20 at 2:30 p.m.
per stip & order entered on 5/6/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 7/7/20 at 2:30 p.m. No appearances are required on 5/19/20.

Party Information

Debtor(s):

Raza Kazmi

Represented By
Richard T Baum
Maureen Strube

Joint Debtor(s):

Maha Rehman

Represented By
Richard T Baum
Maureen Strube

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 19, 2020

Hearing Room 1675

2:30 PM

2:19-11150 Precision AgriTech Inc.

Chapter 7

#17.00 Hearing re: Trustee's motion to authorize sales of estate's right, title and interest in (1) litigation claims, and (2) intellectual property

Docket 64

Tentative Ruling:

Grant motion of the Chapter 7 trustee to sell certain litigation rights and intellectual property rights of the bankruptcy estate pursuant to 11 U.S.C. 363(b), approve overbidding procedures for the reasons stated in the moving papers and for lack of timely written opposition. However, no tentative ruling as to the determination of the successful purchaser and the confirmed purchaser and backup bidder as good faith purchasers within the meaning of 11 U.S.C. 363(m), subject to the conduct of an auction if there is a qualified overbidder. Appearances are required on 5/19/20, but counsel and self-represented parties must appear by telephone.

Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042) and the Bankruptcy Court's General Order 20-02 of 3/19/20 as amended on 4/1/20 and 4/14/20. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Precision AgriTech Inc.

Represented By
Ashley M McDow

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

Tuesday, May 19, 2020

Hearing Room 1675

2:30 PM

CONT... Precision AgriTech Inc.

Chapter 7

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, May 19, 2020

Hearing Room 1675

2:30 PM

2:19-23924 Raymond John Khamo

Chapter 7

#18.00 Hearing re: Motion to compel abandonment or, in the alternative, motion to dismiss

Docket 29

Tentative Ruling:

Having considered the moving, opposing and reply papers, the court determines that the motion to compel abandonment or dismiss is a contested matter under FRBP 9014 and that the court should set a schedule of pretrial and trial proceedings, including discovery. Although the City of Long Beach filed a proof of claim for its secured claim, the amount was only for the face amount of the loan and did not incorporate the equity share obligation. Discovery should be taken to confirm the city's claim amount because it is not likely that it would waive its right to amend its claim for the full amount under the equity share agreement with debtor and the co-owner, and thus, debtor might well be able to show that the property is either burdensome to the estate or of inconsequential value and benefit to the estate under 11 U.S.C. 554(b) because the obligation to pay the equity share to the city would eliminate any equity value available to pay creditors. If the property is the major asset of the estate and debtor is right that there is no value in the equity to pay creditors, then as well it might not be prejudicial to creditors to grant debtor's motion to voluntarily dismiss this case under 11 U.S.C. 707 if this means that the case is otherwise a "no asset" case. See *In re Bartee*, 317 B.R. 362, 366 (9th Cir. BAP 2004).

Appearances are required on 5/19/20 to discuss scheduling of pretrial proceedings, including discovery and whether the matter should be referred to mediation, but counsel and self-represented parties must appear by telephone.

Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042) and the Bankruptcy Court's General Order 20-02 of

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, May 19, 2020

Hearing Room 1675

2:30 PM

CONT... Raymond John Khamo

Chapter 7

3/19/20 as amended on 4/1/20 and 4/14/20. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Raymond John Khamo

Represented By
Sam Benevento

Trustee(s):

John J Menchaca (TR)

Represented By
Toan B Chung

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

Wednesday, May 20, 2020

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#1.00 Hearing re: Motion for order disallowing claim of Freid and Goldman, APLC. (claim no. 15)

Docket 787

***** VACATED *** REASON: Notice of withdrawal filed on 4/30/20-mb.**

Tentative Ruling:

Off calendar. The motion objecting to claim is moot because the claim was withdrawn by notice filed on 4/30/20. No appearances are required on 5/20/20.

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 20, 2020

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#1.10 Cont'd pretrial conference re: Debtor's motion to disallow claims of Cindy S. Magleby
(claim numbers 13, 7, and 12)
fr. 10/2/19, 2/19/20, 4/29/20

Docket 390

Tentative Ruling:

Off calendar. The motion objecting to claims is moot because the claims and motion objecting to the claims are deemed withdrawn by the order approving the settlement of the parties entered on 5/6/20. No appearances are required on 5/20/20.

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 20, 2020

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#1.20 Cont'd hearing re: Disclosure statement
fr. 10/2/19, 2/19/20, 4/29/20

Docket 174

Tentative Ruling:

Off calendar. The court on its own motion continues the hearing on the disclosure statement to be conducted with hearings on related matters in this case on 6/3/20 at 11:00 a.m. No appearances are required on 5/20/20.

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 20, 2020

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

Adv#: 2:16-01259 Magleby v. Magleby

#1.30 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. 10/2/19, 2/19/20, 4/29/20

Docket 1

Tentative Ruling:

Off calendar. The court continues the hearing on this adversary proceeding to be conducted with other hearings in the underlying bankruptcy case on 6/3/20 at 11:00 a.m. because the settlement of the adversary proceeding is pending pursuant to the order approving the settlement of the parties entered on 5/6/20. No appearances are required on 5/20/20.

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 20, 2020

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 to compel inspection and to produce documents and responses from and to defendant/debtor Rita Gail Ellison-Farris; request for terminating sanctions fr. 8/28/19, 1/15/20, 4/15/20

Docket 412

Tentative Ruling:

Updated tentative ruling as of 5/15/20. See tentative ruling for item number 10.

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, May 20, 2020

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 hearing re: Motion to abstain
fr. 8/28/19, 1/15/20, 4/15/20

Docket 414

Tentative Ruling:

Updated tentative ruling as of 5/15/20. See tentative ruling for item number 10.

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, May 20, 2020

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

#4.00 Cont'd hearing re: Plaintiff/creditor, James Lee /Clark's notice of motion to compel inspection and to produce documents and response from and to defendant/debtor Rita Gail Ellison-Farris; request for terminating sanctions fr. 8/28/19, 1/15/20, 4/15/20

Docket 390

Tentative Ruling:

Updated tentative ruling as of 5/15/20. See tentative ruling for item number 10.

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, May 20, 2020

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, May 20, 2020

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

#5.00 Cont'd hearing re: Motion to amend adversary complaint and to add Jennifer, quiet title,
cancel the deed and note
fr. 8/28/19, 1/15/20, 4/15/20

Docket 399

Tentative Ruling:

Updated tentative ruling as of 5/15/20. See tentative ruling for item number 10.

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, May 20, 2020

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

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

Wednesday, May 20, 2020

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

#6.00 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. 8/28/19, 1/15/20, 4/15/20

Docket 351

Tentative Ruling:

Updated tentative ruling as of 5/15/20. See tentative ruling for item number 10.

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, May 20, 2020

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, May 20, 2020

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

#7.00 Cont'd 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 fr. 8/28/19, 1/15/20, 4/15/20

Docket 397

Tentative Ruling:

Updated tentative ruling as of 5/15/20. See tentative ruling for item number 10.

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, May 20, 2020

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

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

Wednesday, May 20, 2020

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

#8.00 Cont'd hearing re: Plaintiff/creditor, James Lee Clark's notice of motion to compel further discovery responses to defendant/debtor Rita Gail Ellison-Farris fr. 8/28/19, 1/15/20, 4/15/20

Docket 377

Tentative Ruling:

Updated tentative ruling as of 5/15/20. See tentative ruling for item number 10.

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, May 20, 2020

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

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

Wednesday, May 20, 2020

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

#9.00 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. 8/28/19, 1/15/20, 4/15/20

Docket 362

Tentative Ruling:

Updated tentative ruling as of 5/15/20. See tentative ruling for item number 10.

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, May 20, 2020

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

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

Wednesday, May 20, 2020

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. 8/28/19, 1/15/20, 4/15/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/15/20. No tentative ruling on the merits for the status conference and pending motions in this adversary proceeding.

Appearances are required on 5/20/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042) and the Bankruptcy Court's General Order 20-02 of 3/19/20 as amended on 4/1/20 and 4/14/20. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Attorney(s):

Deborah Bronner

Represented By
Deborah R Bronner

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

Wednesday, May 20, 2020

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

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**

Wednesday, May 20, 2020

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. 8/28/19, 1/15/20, 4/15/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/15/20. No tentative ruling on the merits for the status conference and pending motions in this adversary proceeding.

Appearances are required on 5/20/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042) and the Bankruptcy Court's General Order 20-02 of 3/19/20 as amended on 4/1/20 and 4/14/20. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Defendant(s):

Rita Gail Farris-Ellison

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, May 20, 2020

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

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, May 20, 2020

Hearing Room 1675

2:30 PM

2:19-10596 Robert David Katz and Roslyn Soudry Katz

Chapter 11

#12.00 Cont'd hearing re: Second and final fee application of SulmeyerKupetz, a professional corporation general bankruptcy counsel for debtors
fr. 3/25/20, 4/29/20

Docket 308

Tentative Ruling:

Updated and supplemented tentative ruling as of 5/19/20. The court has reviewed debtors' response to applicant's motion to strike their sur-opposition as supplemented, filed on 5/18/20, reporting that debtors and applicant have reached a settlement of their dispute regarding applicant's fee application and payment thereon. Parties should confirm the existence of a settlement, if there is one, how it will be documented, or otherwise be prepared to discuss how to proceed.

Prior tentative ruling as of 5/15/20. According to debtors in their sur-opposition filed on 5/6/20, they acknowledge that applicant's fees and costs may be awarded in the aggregate total of \$461,792.91, but request that applicant's request for immediate payment be denied and requiring applicant to agree to alternate treatment under the plan or the matter referred to mediation. In response, applicant asserts that its allowed fees and costs total \$554,747.84, of which \$365,002.37 remains due and owing after payment of \$107,245.47 during the case and a voluntary reduction of \$87,500.00, and requests that the allowed fees and costs be ordered paid in full immediately. In the court's view, it should only determine whether the application for fees and costs should be approved and in what amount. As to how and when the allowed fees and costs are to be paid is governed by the confirmed plan, and plan treatment of this claim is not before the court on this application, though this issue may be a proper subject of discussion during the status conference because debtors may not be able to pay the claim in accordance with the terms of the plan, which may be a plan default. The court denies applicant's motion to strike debtors' sur-opposition because the arguments contained therein relate to the application, though the court does not accept such arguments for purposes of determining the application.

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Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 20, 2020

Hearing Room 1675

2:30 PM

CONT...

Robert David Katz and Roslyn Soudry Katz

Chapter 11

Appearances are required on 5/20/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042) and the Bankruptcy Court's General Order 20-02 of 3/19/20 as amended on 4/1/20 and 4/14/20. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 4/27/20. It appears that debtors do not object to the fees requested in the applicant's second and final fee application in stating in their response to the application: "The Debtors do not object to the general relief prayed for in the Fee Application and do not hereby do so." However, debtors indicate that there are issues regarding their ability to make payments of the fees pursuant to the plan and request that the court direct them and applicant to attend mediation to resolve these issues. As to the supplemental fees requested in applicant's reply on 4/22/20, it is improper for applicant to request newly requested fees in a reply which violates LBR 9013-1(g) providing that "New arguments or matters raised for the first time in reply documents will not be considered." This is unfair and burdensome for the court and debtors to review and respond to such supplemental fees raised for the first time in the reply. If applicant seeks payment of the supplemental fees requested in the reply, the court will have to continue the hearing on the application to consider the supplemental fees. The court is of the view that mediation is a good idea to resolve the payment issues as a matter of practicality at this time before getting into a determination of plan compliance interpreting the plan as to payment of fees based on the sufficiency of debtors' funds on hand.

Appearances are required on 4/29/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from

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

Wednesday, May 20, 2020

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2:30 PM

CONT...

Robert David Katz and Roslyn Soudry Katz

Chapter 11

the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues all hearings on the Applications for Fees and Expenses, Docket Numbers 308 and 309, in this bankruptcy case scheduled for March 25, 2020 at 11:00 a.m. The court on its own motion continues these hearings to April 29, 2020 at 11:30 a.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 25, 2020 at 11:00 a.m. as the hearings are continued to April 29, 2020 at 11:30 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Robert David Katz

Represented By
Victor A Sahn
Steven Werth
Cathy Ta

Joint Debtor(s):

Roslyn Soudry Katz

Represented By
Victor A Sahn
Steven Werth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, May 20, 2020

Hearing Room 1675

2:30 PM

CONT...

Robert David Katz and Roslyn Soudry Katz

Cathy Ta

Chapter 11

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

Wednesday, May 20, 2020

Hearing Room 1675

2:30 PM

2:19-10596 Robert David Katz and Roslyn Soudry Katz

Chapter 11

#13.00 Cont'd hearing re: Motion of SulmeyerKupetz, APC to be Relieved as Counsel of Record [Local Bankruptcy Rule 2091-1(a) and 2091-1(c)(3)] fr. 4/29/20

Docket 314

***** VACATED *** REASON: Granted per order entered on 5/1/20-mb.**

Tentative Ruling:

Off calendar. The motion was granted by prior order, and no further hearing is necessary. No appearances are required on 5/20/20.

Party Information

Debtor(s):

Robert David Katz

Represented By
Victor A Sahn
Steven Werth
Cathy Ta
Mark M Sharf

Joint Debtor(s):

Roslyn Soudry Katz

Represented By
Victor A Sahn
Steven Werth
Cathy Ta
Mark M Sharf

Movant(s):

SulmeyerKupetz APC

Represented By
Cathy Ta
Victor A Sahn

**United States Bankruptcy Court
Central District of California
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Wednesday, May 20, 2020

Hearing Room 1675

2:30 PM

2:19-10596 Robert David Katz and Roslyn Soudry Katz

Chapter 11

#14.00 Cont'd status conference re: Post confirmation of plan
fr. 5/6/20

Docket 262

Tentative Ruling:

Updated tentative ruling as of 5/15/20. The court has reviewed debtors' status report filed on 4/29/20 wherein they stated that due to the COVID-19 crisis, they may require additional time to comply with their payment obligations under the terms of the plan and that they do not have sufficient funds on hand to pay its claims owed to its former general bankruptcy counsel SulmeyerKupetz, and special litigation counsel Stapke Law. Debtors also reported on the pending settlement of the adversary proceeding against Bank of America Corp., and SulmeyerKupetz has expressed concerns about how the settlement funds are going to be used after receipt. These circumstances may indicate a plan default, and debtors should be prepared to discuss how they intend to resolve any plan default. Appearances are required on 5/20/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042) and the Bankruptcy Court's General Order 20-02 of 3/19/20 as amended on 4/1/20 and 4/14/20. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 5/4/20. Off calendar. At a hearing on 4/29/20 in this case, the court on its own motion continues the postconfirmation status

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2:30 PM

CONT... **Robert David Katz and Roslyn Soudry Katz** Chapter 11

conference to 5/20/20 at 2:30 p.m. to be conducted with the further hearing on the final fee application of SulmeyerKupetz, former general bankruptcy counsel for debtors because these matters are related. No appearances are required on 5/6/20.

Party Information

Debtor(s):

Robert David Katz

Represented By
Mark M Sharf
Ori S Blumenfeld

Joint Debtor(s):

Roslyn Soudry Katz

Represented By
Mark M Sharf
Ori S Blumenfeld

Movant(s):

Robert David Katz

Represented By
Mark M Sharf
Ori S Blumenfeld

Roslyn Soudry Katz

Represented By
Mark M Sharf
Mark M Sharf
Mark M Sharf
Ori S Blumenfeld
Ori S Blumenfeld
Ori S Blumenfeld

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, May 26, 2020

Hearing Room 1675

1:30 PM

2:19-10246 Dean Henrik Okland

Chapter 7

Adv#: 2:19-01410 Dorfman v. Okland

#1.00 Cont'd status conference re: Complaint to determine dischargeability of debt (11 U.S.C. §§523(a)(2)(A) and 523(a)(4) fr. 11/19/19, 3/31/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/22/20. Appearances are required on 5/26/20 to discuss the status of plaintiffs motion for default judgment and when other further proceedings should be set, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/20/20. Off calendar. The court has reviewed plaintiff's unilateral status report filed on 3/16/20, stating that he will be filing a motion for default judgment shortly. The court on its own motion continues the status conference for about 60 days to 5/26/20 at 1:30 p.m. to allow time for plaintiff to prepare and file his motion for default judgment. No appearances are required on 3/31/20.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report. Set a discovery cutoff date of 2/28/20, and a post-discovery status conference on 3/31/20 at 1:30 p.m. with a joint status report due on 3/24/20. These dates will likely be moot if a motion for default judgment is filed and ruled upon in the meantime. Appearances are optional on 11/19/19, but

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CONT... **Dean Henrik Okland** **Chapter 7**
counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Dean Henrik Okland	Pro Se
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Defendant(s):

Dean Henrik Okland	Pro Se
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Plaintiff(s):

Chuck Dorfman	Represented By David S Hagen
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Trustee(s):

Howard M Ehrenberg (TR)	Represented By Jeffrey S Shinbrot
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**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, May 26, 2020

Hearing Room 1675

1:30 PM

2:19-11150 Precision AgriTech Inc.

Chapter 7

Adv#: 2:20-01011 Krasnoff, Chapter 7 Trustee v. Ellestad

#2.00 Cont'd status conference re: Trustee's complaint to avoid unperfected security interest
fr. 3/24/20

Docket 1

***** VACATED *** REASON: Stipulated judgment entered on 3/20/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 5/22/20. Off calendar. Stipulated judgment entered on 3/20/20. No appearances are required on 5/26/20.

Party Information

Debtor(s):

Precision AgriTech Inc.

Represented By
Ashley M McDow

Defendant(s):

Eric Ellestad

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
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Hearing Room 1675

1:30 PM

2:19-20416 Susie L Wong

Chapter 7

#3.00 Hearing re: Amended motion to avoid lien under 11 U.S.C. §522(f) (real property) with Sequoia Concepts, Inc. dba Sequoia Financial Services

Docket 54

Tentative Ruling:

Treat the amended motion to avoid lien of Creditor Sequoia Concepts, Inc., as a contested matter under FRBP 9014 because there are disputed issues of material fact regarding valuation of the subject property and the liens attached thereto. The parties have filed evidence of conflicting valuation of the subject property at \$740,000 based on the declaration of a real estate broker for Debtor and \$945,000 based on a declaration of real estate broker for Creditor. The value of the property at \$770,000 based on the trustee's "acceptance" of an offer to sell the property based on the trustee's declaration filed on 1/8/20 is not conclusive because there has been no sale of the property to deem that value as the fair market value of the property for purpose of Debtor's lien avoidance motion as no motion for sale has been filed by the trustee. There are also factual issues regarding the value of the unavoids liens on the property. The first lien of Encore is valued at \$366,799.14 based on a notice of trustee's sale dated 8/6/19 attached as Exhibit 4 to the amended motion, which value does not appear to be in dispute. The second lien of Oxford Property, LLC is valued at \$110,000 based on the stipulation between the trustee and Oxford fixing the value of the lien, though Debtor asserts the value in the motion to be \$200,090, which was disputed by the trustee, leading to the settlement between trustee and Oxford. The court is of the view that the value of Oxford's lien is the \$110,000 which was the agreed value between it and the trustee, though Debtor might disagree, which may raise a disputed issue of material fact. The value of the California Franchise Tax Board liens is \$29,069.15, which is the value of its secured claim on its proof of claim filed in this case. However, Debtor asserts that the Franchise Tax Board liens should be valued at \$12,144.89, \$14,440.62 and \$19,208.07, totaling \$45,793.58, which may present a disputed issue of material fact. The value of the Internal Revenue Service liens is \$180,817.59, which is the value of its secured claim

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CONT...

Susie L Wong

Chapter 7

on its proof of claim filed in this case. However, Debtor asserts that the IRS liens should be valued at \$63,204.00, \$116,383.14 and \$22,351.77, totaling \$201,938.91, which may present a disputed issue of material fact. In the court's view, the values of the taxing authorities' liens stated on the proofs of claim should be the values for purposes of the motion because the proofs of claim are what the claimants assert are their claims on the petition date and are prima facie evidence of the validity and amount of the claims pursuant to Federal Rule of Bankruptcy Procedure 3001(f). There is no evidence that rebuts the prima facie correctness of the filed proofs of claim of the FTB and IRS. The court's computation of the unavowed liens of Encore (\$366,799.14), Oxford (\$110,000), FTB (\$29,069.15) and IRS (\$180,817.59), which total \$686,685.88. Adding Debtor's claim of \$175,000 as her homestead exemption yields a total of \$861,168.88, which would indicate no available equity for Sequoia's lien to attach if the value of the property is \$740,000, but available equity of \$83,831.12 if the value of the property is \$945,000 which is sufficient for Sequoia's lien valued at \$21,840.46 to attach. The amount of available equity for Sequoia's lien would be increased if the court accords credence to Debtor's assertions in her declaration that she is an "innocent spouse" not responsible for her late husband's tax liabilities, so that presumably, she is not liable for his tax liabilities, and thus, the property is not subject to his tax liens, which would apparently mean that the tax lien amounts should not be considered in determining available equity for Sequoia's lien to attach. Debtor's assertions that she is not liable for the taxes may also raise a disputed issue of material fact in valuing the unavowed liens against the property (if the court disregards the tax liens, then under either valuation, there is sufficient equity for Sequoia's lien to attach). The conflicting valuation evidence raises disputed issues of material fact that generally requires an evidentiary hearing because the court has to make credibility determinations as to the valuation opinions. The parties could call their valuation witnesses as witnesses at a hearing, and they may want to take discovery as the broker for Creditor has not inspected the property, and the court can make a determination after hearing their testimony, or the parties could waive their right to an evidentiary hearing, and the court can decide valuation, and the motion, on the papers, or the parties could stipulate to what this court would call the Judge Zurzolo method of valuation that the

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CONT...

Susie L Wong

Chapter 7

court appoints an independent appraiser to value the property, and the parties split the cost of the fees for the court appointed expert pursuant to Federal Rule of Evidence 706. The court cannot decide the motion on the papers without an evidentiary hearing unless both parties consent to waive their right to an evidentiary hearing.

Appearances are required on 5/26/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Susie L Wong

Represented By
Chi L Ip

Movant(s):

Susie L Wong

Represented By
Chi L Ip

Susie L Wong

Represented By
Chi L Ip

Susie L Wong

Represented By
Chi L Ip

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, May 26, 2020

Hearing Room 1675

1:30 PM

2:16-24760 Philip Joseph Jaurigui

Chapter 7

Adv#: 2:18-01351 Mover v. Jaurigui

- #4.00** Cont'd status conference re: Complaint for nondischargeability under 11 U.S.C. §§523(a)(2)(A), 523(a)(2)(B), 523(a)(6); and objection to discharge under §§727(a)(2), 727(a)(4)
fr. 1/14/20, 3/10/20, 5/12/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/22/20. The court will discuss with the parties the status of the mediation with Judge Donovan, who is apparently amenable to conducting mediation by videoconferencing or telephone, perhaps through Zoom which has been used by other judges successfully for mediation. Appearances are required on 5/26/20 by telephone in accordance with the procedures set forth in the tentative ruling of 5/8/20 below.

Prior tentative ruling as of 5/8/20. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 5/12/20 to discuss the status of the adversary proceeding, including the status of the pending mediation, outstanding discovery, whether the trial can be conducted remotely by videoconferencing as opposed to in person and when a pretrial conference and other further proceedings should be set, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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CONT... Philip Joseph Jaurigui

Chapter 7

Prior tentative ruling as of 3/9/20. Continued by stipulation and order to 5/12/20 at 1:30 p.m. No appearances are required on 3/10/20.

Prior tentative ruling as of 1/13/20. The court has reviewed the joint status report. Appearances are required on 1/14/20 to discuss scheduling of pretrial conference and coordination of trial with related adversary proceeding, but counsel may appear by telephone.

Prior tentative ruling as of 9/16/19. Because the discovery cutoff date was extended to 12/31/19 and discovery is continuing to that date, the court was inclined to set a post-discovery status conference or a pretrial conference for after the discovery cutoff date. Appearances are required on 9/17/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. Appearances are required on 6/25/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/10/19. No tentative ruling on the merits. Appearances are required on 6/11/19, but counsel may appear by telephone.

Prior tentative ruling. Set a discovery cutoff date of 8/30/19 and a post-discovery status conference on 9/17/19 at 1:30 p.m. A joint status report is due on 9/10/19. Appearances are required on 1/8/19, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Philip Joseph Jaurigui

Represented By
Leonard Pena

Defendant(s):

Philip Joseph Jaurigui

Pro Se

**United States Bankruptcy Court
Central District of California
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CONT... Philip Joseph Jaurigui

Chapter 7

Plaintiff(s):

Jonathan Mover

Represented By
Steven R Fox

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, May 26, 2020

Hearing Room 1675

1:30 PM

2:16-24760 Philip Joseph Jaurigui

Chapter 7

Adv#: 2:18-01352 Swing House Rehearsal and Recording, Inc. v. Jaurigui

#5.00 Cont'd status conference re: Complaint by Swing House Rehearsal and Recording, Inc. against Philip Joseph Jaurigui for nondischargeability under 11 U.S.C. §§523(A)(4) and 523(a)(6); and objection to discharge under §727(a)(4) fr. 1/14/20, 3/10/20, 5/12/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/22/20. The court will discuss with the parties the status of the mediation with Judge Donovan, who is apparently amenable to conducting mediation by videoconferencing or telephone, perhaps through Zoom which has been used by other judges successfully for mediation. Appearances are required on 5/26/20 by telephone in accordance with the procedures set forth in the tentative ruling of 5/8/20 below.

Prior tentative ruling as of 5/8/20. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 5/12/20 to discuss the status of the adversary proceeding, including the status of the pending mediation, outstanding discovery, whether the trial can be conducted remotely by videoconferencing as opposed to in person and when a pretrial conference and other further proceedings should be set, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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CONT...

Philip Joseph Jaurigui

Chapter 7

Prior tentative ruling as of 3/9/20. Off calendar. Continued by stipulation and order to 5/12/20 at 1:30 p.m. No appearances are required on 3/10/20.

Prior tentative ruling as of 1/13/20. The court has reviewed the joint status report. Appearances are required on 1/14/20 to discuss scheduling of pretrial conference and coordination of trial with related adversary proceeding, but counsel may appear by telephone.

Prior tentative ruling as of 9/16/19. Because the discovery cutoff date was extended to 12/31/19 and discovery is continuing to that date, the court was inclined to set a post-discovery status conference or a pretrial conference for after the discovery cutoff date. Appearances are required on 9/17/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. Appearances are required on 6/25/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/10/19. No tentative ruling on the merits. Appearances are required on 6/11/19, but counsel may appear by telephone.

Prior tentative ruling. Set a discovery cutoff date of 8/30/19 and a post-discovery status conference on 9/17/19 at 1:30 p.m. A joint status report is due on 9/10/19. Appearances are required on 1/8/19, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Philip Joseph Jaurigui

Represented By
Leonard Pena

Defendant(s):

Philip Joseph Jaurigui

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Hearing Room 1675

1:30 PM

CONT... Philip Joseph Jaurigui

Chapter 7

Plaintiff(s):

Swing House Rehearsal and

Represented By
Steven R Fox

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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Wednesday, May 27, 2020

Hearing Room 1675

1:30 PM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#1.00 Cont'd hearing re: Motion to dismiss case for under 11 U.S.C. § 1112(B)
fr. 2/19/20, 4/15/20, 5/13/20

Docket 123

Tentative Ruling:

Updated tentative ruling as of 5/22/20. No updated tentative ruling in light of the settlement between debtor and creditor Acon regarding debtor's objection to Acon's secured claim. Appearances are required on 5/27/20 by telephone in accordance with the procedures set forth in the tentative ruling of 5/11/20 below.

Prior supplemental tentative ruling as of 5/12/20. The following updates and supplements the tentative ruling posted on 5/11/20: Deny motion to dismiss on grounds under 11 U.S.C. 1112(b)(4)(A) or (B) for the reasons stated in debtor's written opposition because the record does not demonstrate substantial or continuing loss to the estate and the absence of a reasonable likelihood of rehabilitation or gross mismanagement of the estate as debtor has acted in good faith in diligently negotiating a plan of reorganization with its creditors, including movant, to pay claims through refinancing the existing loan on its principal asset, its real estate, to resolve claim disputes through negotiating plan treatment or contested litigation and to reorganize its business by adopting a new business plan.

Updated tentative ruling as of 5/11/20. No tentative ruling on the merits. Appearances are required on 5/13/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties.

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CONT... People Who Care Youth Center, Inc.

Chapter 11

Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

People Who Care Youth Center, Inc.

Represented By
John-Patrick M Fritz
David B Golubchik

**United States Bankruptcy Court
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Wednesday, May 27, 2020

Hearing Room 1675

1:30 PM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#2.00 Cont'd hearing re: Motion for order authorizing use of cash collateral and providing adequate protection pursuant to sections 361 and 363 of the bankruptcy code fr. 2/5/20, 4/15/20, 5/13/20

Docket 125

Tentative Ruling:

Updated tentative ruling as of 5/22/20. No updated tentative ruling in light of the pending plan confirmation hearing in this case. Appearances are required on 5/27/20 by telephone in accordance with the procedures set forth in the tentative ruling of 5/11/20 below.

Prior supplemental tentative ruling as of 5/12/20. The following updates and supplements the tentative ruling posted on 5/11/20: Authorize extension of use of cash collateral for a limited period of time in order for debtor to continue its good faith efforts to propose and confirm a plan of reorganization as the parties which have an interest in cash collateral are adequately protected by a sufficient equity cushion in debtor's real property. The court will discuss with debtor and the parties the time needed to litigate pending matters so that the hearing on plan confirmation can proceed.

Updated tentative ruling as of 5/11/20. No tentative ruling on the merits. Appearances are required on 5/13/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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CONT... People Who Care Youth Center, Inc.

Chapter 11

Party Information

Debtor(s):

People Who Care Youth Center, Inc.

Represented By
John-Patrick M Fritz
David B Golubchik

**United States Bankruptcy Court
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1:30 PM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#3.00 Cont'd hearing re: Motion for order disallowing amended claim no. 3
fr. 5/13/20

Docket 161

***** VACATED *** REASON: Withdrawn per stip & order entered on
5/20/20-mb.**

Tentative Ruling:

Off calendar. Motion withdrawn by stipulation and order entered on 5/20/20.
No appearances are required on 5/27/20.

Party Information

Debtor(s):

People Who Care Youth Center, Inc.

Represented By
John-Patrick M Fritz
David B Golubchik

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Wednesday, May 27, 2020

Hearing Room 1675

1:30 PM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#4.00 Cont'd hearing re: Confirmation of plan
fr. 2/19/20, 4/15/20, 5/13/20

Docket 119

Tentative Ruling:

Updated tentative ruling as of 5/22/20. No updated tentative ruling in light of the settlement between debtor and creditor Acon regarding debtor's objection to Acon's secured claim, which will require a modification of the proposed reorganization plan either by a motion to approve compromise under FRBP 9019 or a plan supplement. Appearances are required on 5/27/20 by telephone in accordance with the procedures set forth in the tentative ruling of 5/11/20 below.

Updated and supplemental tentative ruling as of 5/12/20. The following updates and supplements the tentative ruling posted on 5/11/20: In light of debtor's second statement regarding exit financing in connection with its Chapter 11 plan, filed on 5/12/20, the hearing on plan confirmation should be continued for a short period of time in order for debtor to negotiate with the City of Los Angeles regarding the lien subordination cap in an amount that would allow plan confirmation and the exit financing with the replacement lender to go forward. The court will discuss with debtor and the parties the time needed for this purpose.

Updated tentative ruling as of 5/11/20. No tentative ruling on the merits. Appearances are required on 5/13/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties.

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Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 27, 2020

Hearing Room 1675

1:30 PM

CONT... People Who Care Youth Center, Inc.

Chapter 11

Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 4/13/20. No tentative ruling on the merits. Plan confirmation appears to be a contested matter under FRBP 9014 since there is a dispute over feasibility of the plan based on creditor Acon's objection and its related motion to dismiss as well as debtor's objection to Acon's amended claim. It seems that the court should set a schedule of pretrial proceedings for litigation of these related contested matters.

Appearances are required on 4/15/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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, May 27, 2020

Hearing Room 1675

1:30 PM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#5.00 Cont'd status conference re: Management of chapter 11 case
fr. 3/11/20, 4/15/20, 5/13/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/22/20. No updated tentative ruling in light of the pending plan confirmation hearing in this case. Appearances are required on 5/27/20 by telephone in accordance with the procedures set forth in the tentative ruling of 5/11/20 below.

Prior tentative ruling as of 5/11/20. No tentative ruling on the merits. Appearances are required on 5/13/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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**

Tuesday, June 2, 2020

Hearing Room 1675

10:30 AM

2:20-10131 Alex S Min

Chapter 7

#1.00 Cont'd hearing re: Motion for relief from stay
(JPMorgan Chase Bank, N.A. VS Debtor)
fr. 4/28/20

Docket 13

***** VACATED *** REASON: Cont'd from 6/2/20 to 9/8/20 at 10:30 a.m.
per stip & order entered on 5/26/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 5/29/20. Off calendar. Continued by stipulation between movant and trustee and order thereon to 9/8/20 at 10:30 a.m.
No appearances are required on 6/2/20.

Prior tentative ruling as of 4/27/20. Off calendar. Continued by stipulation between movant and trustee and order thereon to 6/2/20 at 10:30 a.m.
No appearances are required on 4/28/20.

Party Information

Debtor(s):

Alex S Min

Represented By
Young K Chang

Trustee(s):

John P Pringle (TR)

Pro Se

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

Tuesday, June 2, 2020

Hearing Room 1675

10:30 AM

2:20-13461 Carlos Christopher Martinez

Chapter 7

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

Docket 12

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 6/2/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Carlos Christopher Martinez

Represented By
Steven A Alpert

Movant(s):

American Honda Finance

Represented By
Vincent V Frounjian

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 2, 2020

Hearing Room 1675

11:00 AM

2:17-21018 Prototype Engineering & Manufacturing, Inc.

Chapter 7

#3.00 Hearing re: Stipulation to modify automatic stay to permit crash victim claimants to liquidate claims against the estate

Docket 106

***** VACATED *** REASON: Continued from 6/2/20 to 6/23/20 at 11:00 am per order entered on 5/27/20-mb.**

Tentative Ruling:

Off calendar. The court having granted the ex parte motion for continuance, the hearing on the stipulation is continued to 6/23/20 at 11:00 a.m. No appearances are required on 6/2/20.

Party Information

Debtor(s):

Prototype Engineering &

Represented By
Carol Chow

Movant(s):

Wesley H Avery (TR)

Represented By
Timothy J Yoo
Carmela Pagay
Lindsey L Smith
Irving M Gross

Jon Ternstrom

Represented By
Todd E Phillips

Colette Borom-Carpenter

Represented By
Todd E Phillips

Michelle Witzler

Represented By
Todd E Phillips

Cameron Witzler

Represented By
Todd E Phillips

Maria Ternstrom

Represented By

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

Tuesday, June 2, 2020

Hearing Room 1675

11:00 AM

CONT... Prototype Engineering & Manufacturing, Inc.
Todd E Phillips

Chapter 7

Trustee(s):

Wesley H Avery (TR)

Represented By
Timothy J Yoo
Carmela Pagay
Lindsey L Smith
Irving M Gross

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

Tuesday, June 2, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01435 Goodrich v. Amazon Loan Services

#4.00 Cont'd status conference re: Complaint for: 1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; 2) Recovery of property pursuant to 11 U.S.C. § 550; 3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; 4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and 5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 11/6/19, 1/7/20, 4/7/20

Docket 1

***** VACATED *** REASON: Cont'd from 6/2/20 to 7/21/20 at 1:30 p.m.
per stip & order entered on 3/20/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 7/21/20 at 1:30 p.m. No appearances are required on 6/2/20.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Amazon Loan Services

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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

Tuesday, June 2, 2020

Hearing Room 1675

1:30 PM

2:19-10246 Dean Henrik Okland

Chapter 11

Adv#: 2:19-01102 Sunderland et al v. Okland

#5.00 Cont'd status conference re: Complaint for: (1)-(3) exception to discharge of certain debts [11 U.S.C. §§523(a)(2)(A),(4) and (6); (4)-(7) denial of discharge as to all debts [11 U.S.C. §§727(a)(2)-(5)]
fr. 10/8/19, 2/4/20, 4/14/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/28/20. No tentative ruling on the merits. Appearances are required on 6/2/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Dean Henrik Okland

Represented By

Matthew D. Resnik

Roksana D. Moradi-Brovia

Defendant(s):

Dean Henrik Okland

Represented By

Roksana D. Moradi-Brovia

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

Tuesday, June 2, 2020

Hearing Room 1675

1:30 PM

CONT... Dean Henrik Okland

Chapter 11

Plaintiff(s):

Jennifer Sunderland

Represented By
Kimberly Wright

James Farrow

Represented By
Kimberly Wright

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

Tuesday, June 2, 2020

Hearing Room 1675

1:30 PM

2:19-15982 Daniel Hyun You

Chapter 7

Adv#: 2:19-01275 Avery v. Lee et al

#6.00 Cont'd status conference re: Removal of state court action to federal bankruptcy court
[Orange Country Superior Court case no. 30-2018-00965427-CU-OR-CJC]
fr. 10/1/19, 1/28/20, 3/31/20

Docket 1

Tentative Ruling:

Revised and updated tentative ruling as of 6/2/20. Off calendar. Matter settled, and hearing vacated as moot by stipulation and order. No appearances are required on 6/2/20.

Prior tentative ruling as of 5/28/20. No tentative ruling on the merits. Appearances are required on 6/2/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/23/20. Off calendar. Continued by stipulation and order to 6/2/20 at 1:30 p.m. No appearances are required on 4/1/20.

Party Information

Debtor(s):

Daniel Hyun You

Represented By
David Marh

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

Tuesday, June 2, 2020

Hearing Room 1675

1:30 PM

CONT... Daniel Hyun You

Chapter 7

Defendant(s):

Eui Jung Lee	Pro Se
Daniel H. You	Pro Se
Jin You	Pro Se
In Kyu Kang	Pro Se
Hye Kang	Pro Se

Plaintiff(s):

Wesley H. Avery	Represented By Laila Masud D Edward Hays
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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, June 2, 2020

Hearing Room 1675

1:30 PM

2:19-15982 Daniel Hyun You

Chapter 7

Adv#: 2:19-01282 AJU Small but Great Fund 5, a Korean entity v. You

- #7.00** Cont'd status conference re: Complaint for determination of non-dischargeability of debt:
1. For fraudulent statements re non-financial condition (11 U.S.C. §523(a)(2)(A));
2. For fraudulent written statements re financial condition (11 U.S.C. §523(a)(2)(B))
3. Fraud/defalcation while acting in fiduciary capacity, embezzlement, or larceny (11 U.S.C. §523(a)(4)); 4. Willful and malicious injury to another entity (11 U.S.C. §523(a)(6)); 5. Securities fraud (11 U.S.C. §523(a)(19))
fr. 10/22/19, 3/31/20, 5/5/20

Docket 1

***** VACATED *** REASON: Notice of voluntary dismissal filed on 5/18/20-mb.**

Tentative Ruling:

Off calendar. The status conference is moot in light of voluntary dismissal of adversary proceeding by notice filed on 5/18/20. No appearances are required on 6/2/20.

Party Information

Debtor(s):

Daniel Hyun You

Represented By
David Marh

Defendant(s):

Daniel Hyun You

Pro Se

Plaintiff(s):

AJU Small but Great Fund 5, a

Represented By
James E Till
Pio S Kim
Alexander Su

Trustee(s):

Wesley H Avery (TR)

Represented By
Laila Masud

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

Tuesday, June 2, 2020

Hearing Room 1675

1:30 PM

CONT...

Daniel Hyun You

D Edward Hays

Chapter 7

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

Tuesday, June 2, 2020

Hearing Room 1675

2:30 PM

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

Chapter 7

#8.00 Cont'd hearing re: Chapter 7 trustee's omnibus objection to: Claim No. 11 - Shaoxing LeiLei Import & Export; Claim No. 12 - Cong Ty Tnhh Anh Chau; Claim No. 13 - Shaoxing Tuchang Knitting Textile; Claim No. 14 - Gia Phu Fashion Company; and Claim No. 15 - Cong Ty May Trinh Vuong
fr. 4/28/20

Docket 351

***** VACATED *** REASON: Cont'd from 6/2/20 to 6/9/20 at 2:30 p.m. per stip & order entered on 5/20/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 6/9/20 at 2:30 p.m. No appearances are required on 6/2/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, June 2, 2020

Hearing Room 1675

2:30 PM

2:18-20432 Don Gonzalez

Chapter 7

Adv#: 2:18-01432 Swift Financial, LLC v. Gonzalez

#9.00 Cont'd hearing re: Plaintiff's motion for default judgment under LBR 7055-1
fr. 3/24/20, 4/28/20

Docket 23

Tentative Ruling:

Revised and updated tentative ruling as of 5/28/20. The court makes several preliminary observations regarding the moving papers: (1) the motion relies upon defendant's failure to respond to requests for admissions, but the circumstances of service of the requests for admission and defendant's failure to respond are not adequately described in the supporting declaration and there does not appear to be a copy of a proof of service in the moving papers (the discovery requests were identified as Exhibit B, but were placed out of order in the papers before Exhibit A; there was no proof of service of these documents in the moving papers); (2) the motion contends for the claims under 11 U.S.C. 523(a)(2) that defendant made fraudulent misrepresentations on his loan application to plaintiff as shown by his statement of financial affairs, but the moving papers do not include copies of the loan application or the statement of financial affairs; (3) the motion contends for the claims under 11 U.S.C. 523(a)(4) that defendant embezzled or committed larceny of certain loan collateral pledged to plaintiff, but the moving papers do not sufficiently substantiate what specific loan collateral was embezzled or stolen; (4) the motion contends for the claim under 11 U.S.C. 727(a)(5) that defendant failed to explain the loss or deficiency of assets to meet his liabilities, but the moving papers do not sufficiently substantiate the circumstances of his failure to explain based on the supporting declaration that conclusorily states that there were discussions; (5) it appears that the circumstances indicate some type of fraud as shown by a credit bustout that may show a prima facie case for the claims under 11 U.S.C. 523(a)(2) and (6), that is, based on common law fraud under state law, but the moving papers need to show that the elements of fraud to establish an underlying state law tort claim, which is not discussed in the moving papers; (6) if plaintiff is able to establish a claim under 11 U.S.C. 523, does plaintiff intend to also proceed with its claim under 11 U.S.C. 727(a)

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

Tuesday, June 2, 2020

Hearing Room 1675

2:30 PM

CONT...

Don Gonzalez

Chapter 7

(5), which appears to be insufficient on this record. Appearances are required on 6/2/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues the hearing on Plaintiff's Motion for Default Judgment, Docket No. 23, in this adversary proceeding and the status conference scheduled for March 24, 2020 at 2:30 p.m. The court on its own motion continues the hearing on the motion and the status conference to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearing on the motion and the status conference are continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Don Gonzalez

Pro Se

Defendant(s):

Don Gonzalez

Pro Se

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

Tuesday, June 2, 2020

Hearing Room 1675

2:30 PM

CONT... Don Gonzalez

Chapter 7

Plaintiff(s):

Swift Financial, LLC

Represented By
Daren M Schlecter

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 2, 2020

Hearing Room 1675

2:30 PM

2:18-20432 Don Gonzalez

Chapter 7

Adv#: 2:18-01432 Swift Financial, LLC v. Gonzalez

#10.00 Cont'd 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 neither listed nor scheduled and known to debtor (11 U.S.C. §523(a)(3); 4) debts incurred through conversion under 11 U.S.C. § 523(a)(4); 5) debts incurred through willful and malicious injury to property under 11 U.S.C. §523(a)(6); 6) objection to discharge under 11 U.S.C. §727(a)(5) fr. 2/4/20, 3/24/20, 4/28/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/28/20. No tentative ruling on the merits. Appearances are required on 6/2/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/17/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues the hearing on Plaintiff's Motion for Default Judgment, Docket No.

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

Tuesday, June 2, 2020

Hearing Room 1675

2:30 PM

CONT...

Don Gonzalez

Chapter 7

23, in this adversary proceeding and the status conference scheduled for March 24, 2020 at 2:30 p.m. The court on its own motion continues the hearing on the motion and the status conference to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearing on the motion and the status conference are continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Prior tentative ruling as of 2/3/20. Off calendar. Because this is now a default situation, the court on its own motion continues the status conference to 3/24/20 at 2:30 p.m. to be conducted with the hearing on plaintiff's anticipated motion for default judgment. No appearances are required on 2/4/20, 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 10/11/19. No tentative ruling on the merits. Appearances are required on 10/15/19, 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. The court has reviewed plaintiff's unilateral status report. No tentative ruling on the merits. Appearances are required on 2/12/19, but counsel may appear by telephone.

Party Information

Debtor(s):

Don Gonzalez

Pro Se

Defendant(s):

Don Gonzalez

Pro Se

Plaintiff(s):

Swift Financial, LLC

Represented By
Daren M Schlecter

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

Tuesday, June 2, 2020

Hearing Room 1675

2:30 PM

CONT... Don Gonzalez

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, June 2, 2020

Hearing Room 1675

2:30 PM

2:19-17970 Paul John Yepez

Chapter 7

#11.00 Hearing re: Motion of chapter 7 trustee objecting to the debtor's homestead exemption

Docket 29

Tentative Ruling:

Off calendar. In light of the lack of a timely written opposition to the trustee's motion objecting to debtor's homestead exemption, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to the granting of the motion pursuant to Local Bankruptcy Rule 9013-1(h), rules on the motion on the papers, and grants the motion of trustee for reasons stated in the motion and for lack of timely written opposition. No appearances are required on 5/28/20. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Paul John Yepez

Represented By
Neil R Hedtke

Movant(s):

Timothy Yoo (TR)

Represented By
Zi Chao Lin

Trustee(s):

Timothy Yoo (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 2, 2020

Hearing Room 1675

2:30 PM

2:19-19624 Nana Baidoobonso I AM

Chapter 7

#12.00 Hearing re: United States Trustee's Motion to Dismiss Chapter 7 Case for Cause Under 11 U.S.C. Section 707(a), with A Two-Year Refiling Bar

Docket 50

Tentative Ruling:

Updated tentative ruling as of 5/28/20. Grant motion of United States Trustee to dismiss bankruptcy case with a two year refiling bar pursuant to 11 U.S.C. 707(a) and 105 for cause on grounds of unreasonable delay of debtor that is prejudicial to creditors for the reasons stated in the moving papers and for lack of timely written opposition pursuant to Local Bankruptcy Rule 9013-1(h).

Appearances are required on 6/2/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Nana Baidoobonso I AM

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, June 2, 2020

Hearing Room 1675

2:30 PM

CONT... Nana Baidoobonso I AM

Chapter 7

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

Wednesday, June 3, 2020

Hearing Room 1675

11:00 AM

2:11-14196 Gary Wayne Barker

Chapter 11

#1.00 Cont'd status conference re: Management of chapter 11 case
fr. 9/18/19, 1/29/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/29/20. Debtor should address the status of his intent to file a lien avoidance motion and a motion for final decree. Appearances are required on 6/3/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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 3, 2020

Hearing Room 1675

11:00 AM

2:11-39746 Barbara Jo Baiz Rodriguez

Chapter 11

#2.00 Order to show cause why (1) debtor's chapter 11 bankruptcy case should not be dismissed for failure of debtor to appear at the April 29, 2020 post confirmation status conference or (2) monetary sanction imposed on debtor for failure to appear

Docket 461

Tentative Ruling:

Having reviewed the debtor's declaration in response to the order to show cause, the court is inclined to discharge the order to show cause. Appearances are required on 6/3/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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, June 3, 2020

Hearing Room 1675

11:00 AM

2:11-39746 Barbara Jo Baiz Rodriguez

Chapter 11

#3.00 Cont'd status conference re: Post confirmation of plan
fr. 1/15/20, 3/25/20, 4/29/20

Docket 203

Tentative Ruling:

Updated tentative ruling as of 5/29/20. No tentative ruling on the merits. Appearances are required on 6/3/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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, June 3, 2020

Hearing Room 1675

11:00 AM

2:13-28671 Elbiali Ismail Osman

Chapter 11

#4.00 Cont'd hearing re: California Department of Tax and Fee Administration's motion to dismiss chapter 11 bankruptcy case for cause under 11 U.S.C. 1112 or in the alternative to convert case to chapter 7
fr. 3/4/20, 4/1/20

Docket 311

***** VACATED *** REASON: Continued from 6/3/20 to 7/15/20 at 11 a.m.
per stip and order entered on 5/28/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 7/15/20 at 11:00 a.m. No appearances are required on 6/3/20.

Party Information

Debtor(s):

Elbiali Ismail Osman

Represented By

Carlos F Negrete - INACTIVE -
Alan W Forsley
Robert G Uriarte
Raymond H. Aver

Movant(s):

California Department of Tax and

Represented By

Teaira L Law
Lisa W Chao

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

Wednesday, June 3, 2020

Hearing Room 1675

11:00 AM

2:13-28671 Elbiali Ismail Osman

Chapter 11

#5.00 Cont'd status conference re: Post confirmation of plan
fr. RN, 1/9/19, 1/15/20, 5/6/20

Docket 298

Tentative Ruling:

Updated tentative ruling as of 5/28/20. No tentative ruling on the merits. Appearances are required on 6/3/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 5/4/20. Off calendar. The court on its own motion continues the postconfirmation status conference to 6/3/20 at 11:00 a.m. to be conducted with the continued hearing on the motion of the California Department of Tax and Fee Administration to dismiss the case for failure to make plan payments because these matters are related. No appearances are required on 5/6/20.

Party Information

Debtor(s):

Elbiali Ismail Osman

Represented By

Carlos F Negrete - INACTIVE -

Alan W Forsley

Robert G Uriarte

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

Wednesday, June 3, 2020

Hearing Room 1675

11:00 AM

CONT...

Elbiali Ismail Osman

Raymond H. Aver

Chapter 11

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

Wednesday, June 3, 2020

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#6.00 Hearing re: Third interim application for payment of compensation and reimburse of expenses of Illyssa I. Fogel & Associates, bankruptcy counsel to debtor

Docket 801

Tentative Ruling:

Updated tentative ruling as of 5/28/20. Approve third interim fee application of general bankruptcy counsel for debtor in possession for the reasons stated in the fee application and supporting declaration and for lack of timely written objection. Appearances are required on 6/3/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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 3, 2020

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#7.00 Hearing re: Application for payment of interim fees and/or expenses for Howe Engelbert, LLP, debtor's attorney

Docket 804

Tentative Ruling:

Updated tentative ruling as of 5/28/20. The fee application contains redacted billing entries which the court cannot review for reasonableness pursuant to 11 U.S.C. 330. Applicant will need to file unredacted billing entries in order for the court to review and make an award as to the fees requested based on those billing entries. Appearances are required on 6/3/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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 3, 2020

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 809

Tentative Ruling:

Updated tentative ruling as of 5/28/20. Approve third interim fee application of accountant for debtor in possession for the reasons stated in the fee application and for lack of timely written objection. Also approve the balance of fees in second interim fee application of accountant for debtor in possession which had not been previously allowed for the reasons stated in the application and for lack of outstanding objections to the application. Appearances are optional on 6/3/20, but if appearing, applicant, counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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 3, 2020

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#8.10 Cont'd hearing re: Disclosure statement
fr. 2/19/20, 4/29/20, 5/20/20

Docket 174

Tentative Ruling:

Updated tentative ruling as of 5/28/20. No tentative ruling on the merits. Appearances are required on 6/3/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling. The court on its own motion continues the hearing on the disclosure statement to be conducted with hearings on related matters in this case on 6/3/20 at 11:00 a.m. No appearances are required on 5/20/20.

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 3, 2020

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

Adv#: 2:16-01259 Magleby v. Magleby

#8.20 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. 2/19/20, 4/29/20, 5/20/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/28/20. No tentative ruling on the merits. It appears that settlement of this matter is pending. Appearances are required on 6/3/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling. The court continues the hearing on this adversary proceeding to be conducted with other hearings in the underlying bankruptcy case on 6/3/20 at 11:00 a.m. because the settlement of the adversary proceeding is pending pursuant to the order approving the settlement of the parties entered on 5/6/20. No appearances are required on 5/20/20.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, June 3, 2020

Hearing Room 1675

11:00 AM

CONT... Curtis C. Magleby

Chapter 11

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, June 3, 2020

Hearing Room 1675

11:00 AM

2:16-26583 Dalton Evonne Grant

Chapter 11

#9.00 Cont'd status conference re: Post confirmation of plan
fr. 5/29/19, 10/2/19, 2/19/20

Docket 68

Tentative Ruling:

Updated tentative ruling as of 5/28/20. No tentative ruling on the merits. Appearances are required on 6/3/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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, June 3, 2020

Hearing Room 1675

11:00 AM

2:17-15033 Shapphire Resources, LLC

Chapter 11

#10.00 Hearing re: Disclosure statement

Docket 164

Tentative Ruling:

Updated tentative ruling as of 6/2/20. Off calendar. Continued by stipulation between debtor and secured creditor MTGLQ Investors, LP, and order to 7/22/20 at 11:00 a.m. to allow these parties some additional time to negotiate consensual plan treatment of the secured claim. Counsel for debtor must notify by email or phone counsel for secured creditors MTGLQ and U.S. Bank, Mr. Garan and Ms. Weifenbach, of the continuance.

Prior tentative ruling as of 5/28/20.

Deny approval of amended disclosure statement for failure to contain adequate information.

Regarding creditor MTGLQ Investors, LP's objection to debtor's disclosure statement, the court has the following comments. Regarding the sufficiency of debtor's organizational status, debtor should address creditor's contention that it is not in active organizational status as a Utah limited liability company. Regarding its objection to Option 1, the treatment there is only an option and apparently offered to incentivize that creditor with a higher interest rate and valuation of the secured claim. However, it is only an alternative as the default is Option 2, which is the proposed treatment of the claim, which does not eliminate the unsecured claim in violation of due process of law.

Regarding creditor's objection to Option 2, debtor argues that it may proceed under the "new value" exception to the absolute priority rule, and whether the proposed new value is sufficient to qualify for the exception is probably an issue for plan confirmation. See *In re Ambanc La Mesa Ltd. Partnership*, 115 F.3d 650, 654-655 (9th Cir. 1997). As to the proposed payout of unsecured claims over 90 calendar quarters, or 22.5 years, the issue is also probably a plan confirmation issue. If a creditor objects, it is highly unlikely that the court would overrule the objection because 22.5 years is unreasonably long for

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Los Angeles
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11:00 AM

CONT... Shapphire Resources, LLC

Chapter 11

unsecured creditors to be paid. If there were no objection, the creditors could consent to such treatment by voting in favor of the plan. In the court's view, debtor has an uphill battle to demonstrate a payout longer than 5 years on unsecured claims is fair and equitable, especially since this case has been pending for almost four years, resulting in a wait of almost nine years for unsecured creditors to be paid in this case.

Regarding the value of the Cold Plains property, there is apparently a dispute regarding valuation of the property and creditor's secured claim. The parties should advise whether they agree to a value or if there will be a factual dispute over valuation of the property and the secured claim. If there is going to be a dispute over the value of the secured claim, the court will require debtor to file a motion to value the secured claim under FRBP 3012 or an adversary proceeding pursuant to FRBP 7001 rather than litigating value through plan confirmation proceedings.

Regarding the creditor's objection to the reduction of creditor's secured claim by the amount of the adequate protection payments, the creditor is correct in asserting that creditor should be given credit for the rental income on the property under 11 U.S.C. 552(b) and the holding of *In re Ambanc La Mesa Ltd. Partnership*, 115 F.3d at 654, though debtor is correct in asserting that the adequate protection payments reduce the amount of the secured claim pursuant to 11 U.S.C. 361(1) as creditor is undersecured and cannot claim postpetition interest as part of its secured claim. See also, *United Savings Association of Texas v. Timbers of Inwood Forest Associates, Ltd.*, 484 U.S. 365, 372-374 (1988). If debtor does not give credit to creditor on calculating its secured claim for the postpetition rental income contrary to *Ambanc La Mesa*, such would be grounds for denial of confirmation as not treating the dissenting secured class fairly and equitably, and would make the plan patently unconfirmable to warrant disapproval of the disclosure statement on the merits. See *In re Arnold*, 471 B.R. 578, 586 (Bankr. C.D. Cal. 2012).

Regarding the adequacy of the financial information for the disclosure statement, the court agrees with creditor's objection that the financial information provided is skimpy and inadequate. The income and expense statement is deficient because there is no information of expenses and there is no historical information of income and expenses. Appending bank

**United States Bankruptcy Court
Central District of California
Los Angeles
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Courtroom 1675 Calendar**

Wednesday, June 3, 2020

Hearing Room 1675

11:00 AM

CONT... Shapphire Resources, LLC

Chapter 11

statements and monthly operating reports is not an adequate substitute for providing historical information of income and expenses and reasonable future projections of income and expenses, which should be presented on a spreadsheet form, at least, two years back and five years forward.

The court will grant limited amount of time to debtor to further amend the disclosure statement to address these concerns, or may soon issue an order to show cause re: dismissal, given the lack of apparent progress in confirming plan in this case.

Appearances are required on 6/3/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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 3, 2020

Hearing Room 1675

11:00 AM

2:17-15033 Shapphire Resources, LLC

Chapter 11

#11.00 Cont'd status conference re: Management of chapter 11 case
fr. 2/19/20, 3/25/20, 4/29/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/2/20. Off calendar. Continued by stipulation between debtor and secured creditor MTGLQ Investors, LP, and order to 7/22/20 at 11:00 a.m. to allow these parties some additional time to negotiate consensual plan treatment of the secured claim. Counsel for debtor must notify by email or phone counsel for secured creditors MTGLQ and U.S. Bank, Mr. Garan and Ms. Weifenbach, of the continuance.

Prior tentative ruling as of 5/28/20. No tentative ruling on the merits. Appearances are required on 6/3/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Shapphire Resources, LLC

Represented By

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

Wednesday, June 3, 2020

Hearing Room 1675

11:00 AM

CONT... Shapphire Resources, LLC

Raymond H. Aver

Chapter 11

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

Wednesday, June 3, 2020

Hearing Room 1675

11:00 AM

2:17-21123 JC Fits, Inc.

Chapter 11

#12.00 Order to show cause why this bankruptcy case should not be dismissed for failure to prosecute for failure to file amended disclosure statement and plan and for failure to appear at status conference on April 29, 2020 and/or monetary sanctions against debtor and its attorney Joon M. Khang and debtor JC fits, Inc.

Docket 157

Tentative Ruling:

Having reviewed the counsel declaration in response to the order to show cause, the court is inclined to discharge the order to show cause. In his declaration, counsel indicated that debtor is requesting dismissal of the case pursuant to 11 U.S.C. 105(b) due to its inability to reorganize and not conversion because the nominal assets it now has are overencumbered by liens of its secured creditors indicating little value for creditors in liquidating of its assets. The court will inquire of the appearing parties whether there is any objection to dismissal of the case as opposed to conversion to Chapter 7 or appointment of a Chapter 11 trustee. Appearances are required on 6/3/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

JC Fits, Inc.

Represented By

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

Wednesday, June 3, 2020

Hearing Room 1675

11:00 AM

CONT... JC Fits, Inc.

Joon M Khang

Chapter 11

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

Wednesday, June 3, 2020

Hearing Room 1675

11:00 AM

2:17-21123 JC Fits, Inc.

Chapter 11

#13.00 Cont'd status conference re: Management of chapter 11 case
fr. 1/29/20, 3/25/20, 4/29/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/28/20. No tentative ruling on the merits. Appearances are required on 6/3/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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, June 3, 2020

Hearing Room 1675

11:00 AM

2:18-10524 Fox Property Holdings, LLC

Chapter 11

#14.00 Cont'd status conference re: Management of chapter 11 case
fr. 9/18/19, 1/29/20, 2/19/20

Docket 1

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 6/3/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 2/18/20. Appearances are required on 2/19/20, 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 3, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#15.00 Cont'd status conference re: Debtor's objection to proof of claim no. 6 filed by the Kody Branch of California Chapter 7 bankruptcy trustee
fr. 6/5/19, 10/8/19, 2/19/20

Docket 291

***** VACATED *** REASON: Cont'd from 6/3/20 to 8/19/20 at 11:00 a.m.
per stip & order entered on 3/17/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 5/28/20. Off calendar. Continued by stipulation and order to 8/19/20 at 11:00 a.m. No appearances are required on 6/3/20.

Prior tentative ruling. Treat as a contested matter under FRBP 9014 since there are material issues of disputed fact. Parties should be prepared to discuss an appropriate schedule of pretrial and trial proceedings. Appearances are required on 6/5/19, 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, June 3, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#16.00 Cont'd hearing re: Creditor Baldwin Sun Inc.'s motion to allow late filed claims pursuant to Federal Rules of Bankruptcy Procedure Rule 9006(b) fr. 2/19/20, 3/25/20, 4/29/20

Docket 310

***** VACATED *** REASON: Cont'd from 6/3/20 to 8/5/20 at 11:00 a.m.
per stip & order entered on 5/20/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 5/28/20. Off calendar. Continued by stipulation and order to 8/5/20 at 11:00 a.m. No appearances are required on 6/3/20.

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 3, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#17.00 Cont'd hearing re: Creditor Shen-Shaoxing Tuchang Knitting Textile Co., Ltd.'s motion to allow late filed claims pursuant to Federal Rules of Bankruptcy Procedure Rule 9006(b) fr. 2/19/20, 3/25/20, 4/29/20

Docket 316

***** VACATED *** REASON: Cont'd from 6/3/20 to 8/5/20 at 11:00 a.m. per stip & order entered on 5/20/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 5/28/20. Off calendar. Continued by stipulation and order to 8/5/20 at 11:00 a.m. No appearances are required on 6/3/20.

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 3, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#18.00 Cont'd hearing re: Creditor Cong Ty May Vietmy's motion to allow late filed claims pursuant to Federal Rules of Bankruptcy Procedure Rule 9006(b) fr. 2/19/20, 3/25/20, 4/29/20

Docket 314

***** VACATED *** REASON: Cont'd from 6/3/20 to 8/5/20 at 11:00 a.m.
per stip & order entered on 5/20/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 5/28/20. Off calendar. Continued by stipulation and order to 8/5/20 at 11:00 a.m. No appearances are required on 6/3/20.

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 3, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#19.00 Cont'd hearing re: Creditor Gia Phu Inc.'s motion to allow late filed claims pursuant to Federal Rules of Bankruptcy Procedure Rule 9006(b) fr. 2/19/20, 3/25/20, 4/29/20

Docket 312

***** VACATED *** REASON: Cont'd from 6/3/20 to 8/5/20 at 11:00 a.m. per stip & order entered on 5/20/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 5/28/20. Off calendar. Continued by stipulation and order to 8/5/20 at 11:00 a.m. No appearances are required on 6/3/20.

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 3, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#20.00 Cont'd hearing re: Disclosure statement
fr. 2/19/20, 3/25/20, 4/29/20

Docket 277

***** VACATED *** REASON: Cont'd from 6/3/20 to 8/5/20 at 11:00 a.m.
per stip & order entered on 5/20/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 5/28/20. Off calendar. Continued by stipulation and order to 8/5/20 at 11:00 a.m. No appearances are required on 6/3/20.

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 3, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#21.00 Status conference re: Post discovery
fr. 2/19/20, 3/25/20, 4/29/20

Docket 1

*** VACATED *** REASON: Cont'd from 6/3/20 to 8/5/20 at 11:00 a.m.
per stip & order entered on 5/20/20-mb.

Tentative Ruling:

Updated tentative ruling as of 5/28/20. Off calendar. Continued by stipulation
and order to 8/5/20 at 11:00 a.m. No appearances are required on 6/3/20.

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 3, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#22.00 Cont'd status conference re: Management of chapter 11 case
fr. 2/19/20, 3/25/20, 4/29/20

Docket 1

***** VACATED *** REASON: Cont'd from 6/3/20 to 8/5/20 at 11:00 a.m.
per stip & order entered on 5/20/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 5/28/20. Off calendar. Continued by stipulation and order to 8/5/20 at 11:00 a.m. No appearances are required on 6/3/20.

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 3, 2020

Hearing Room 1675

11:00 AM

2:18-14665 Hugo Hernandez

Chapter 11

#23.00 Order to show cause why debtor's attorneys Lionel E. Giron and/or Joanne P. Sanchez should not be sanctioned for failure to appear at the April 29, 2020 status conference

Docket 130

Tentative Ruling:

Having reviewed the counsel declaration in response to the order to show cause, the court is inclined to discharge the order to show cause. Appearances are required on 6/3/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Hugo Hernandez

Represented By
Lionel E Giron
Crystle Jane Lindsey
Joanne P Sanchez

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Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 3, 2020

Hearing Room 1675

11:00 AM

2:18-14665 Hugo Hernandez

Chapter 11

#24.00 Cont'd status conference re: Post confirmation of plan
fr. 11/20/19, 3/25/20, 4/29/20

Docket 113

Tentative Ruling:

Updated tentative ruling as of 5/28/20. No tentative ruling on the merits. Appearances are required on 6/3/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 4/27/20. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 4/29/20 to discuss status of this case, including the filing of a motion for final decree, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is

**United States Bankruptcy Court
Central District of California
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Wednesday, June 3, 2020

Hearing Room 1675

11:00 AM

CONT... **Hugo Hernandez**
posted on the court's website.

Chapter 11

Prior tentative ruling as of 3/18/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues the status conference in this bankruptcy case scheduled for March 25, 2020 at 11:00 a.m. The court on its own motion continues the status conference to April 29, 2020 at 11:00 a.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 25, 2020 at 11:00 a.m. as the status conference is continued to April 29, 2020 at 11:00 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

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 3, 2020

Hearing Room 1675

11:00 AM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

#25.00 Cont'd hearing re: Motion for entry of an order authorizing sale of substantially all of the debtor's real estate related assets free and clear of all liens, claims, encumbrances and interests and granting related relief
fr. 10/22/19, 1/15/20, 3/25/20

Docket 248

Tentative Ruling:

Updated tentative ruling as of 5/28/20. Grant debtor's motion to sell property of the estate as to the Stockton property for the reasons stated in the moving papers and for lack of timely written objection as the sale of this property is accordance with the global settlement previously approved by order of the court of 9/19/19 as the sale appears to have the consent of the affected lienholder, Great Rock as it has given notice of the motion and has not objected, and therefore, the sale may be free and clear of liens, encumbrances and interests pursuant to 11 U.S.C. 363(f)(2). The requirements of a public sale are inapplicable here because the sale realizes the only value to the estate pursuant to the global settlement, that is, the \$250,000 carveout from the net sales proceeds from the sale of the Stockton property to pay creditors of the estate other than secured creditors Great Rock and GemCap. Debtor should prepared to make an offer of proof to support any finding that the purchaser is a good faith purchaser for purposes of 11 U.S.C. 363(m). Absent any objection, the court will waive the stay on the order under FRBP 6004(h). Appearances are required on 6/3/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about

**United States Bankruptcy Court
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Wednesday, June 3, 2020

Hearing Room 1675

11:00 AM

CONT... Zacky & Sons Poultry, LLC

Chapter 11

arranging a telephonic appearance through CourtCall is posted on the court's website.

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, June 3, 2020

Hearing Room 1675

11:00 AM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

#26.00 Cont'd status conference re: Management of chapter 11 case
fr. 10/22/19, 1/15/20, 3/25/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/28/20. No tentative ruling on the merits. Appearances are required on 6/3/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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, June 3, 2020

Hearing Room 1675

11:30 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#27.00 Pretrial conference re: Objection to claim number 4 by claimant US Bank National Association as Trustee for Velocity Commercial Capital Loan Trust 2014-1 fr. 2/28/20, 3/4/20, 4/15/20

Docket 115

Tentative Ruling:

Updated tentative ruling as of 5/28/20. No tentative ruling on the merits. The court will discuss proceeding with the evidentiary hearing remotely by videoconferencing in light of the current pandemic and has issued an order describing proposed remote trial procedures for the hearing. Appearances are required on 6/3/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 4/13/20. The court will call this matter first on the 11:00 a.m. calendar because this matter should not take much time to discuss as the other matters on calendar will be somewhat lengthy, and counsel should appear promptly at 11:00 a.m. to be heard, or otherwise, they might have to wait a long time for their matter to be heard, perhaps past noon.

In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health

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11:30 AM

CONT...

Raesi Group, Inc

Chapter 11

guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the chief judge of the United States District Court for the Central District of California issued an Order of the Chief Judge No. 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court cannot conduct an in person trial in the courtroom until at least May 1, 2020. Moreover, the County of Los Angeles and City of Los Angeles have issued public health orders prohibiting public and private gatherings in their jurisdictions until at least April 19, 2020, which are likely to be extended, which orders may apply to the trial. The court schedules the status conference on 4/7/20 to discuss with the parties how a trial in the matter may be conducted and when possibly it can be scheduled. Given the current surge of coronavirus cases in the court and in the state and the need for appropriate social distancing, it would probably be prudent not to schedule so soon. In this court's view, a trial will not be scheduled earlier than 6/1/20. A court committee is being appointed to consider the conduct of video evidentiary hearings, but whether this is technically feasible and legally proper has not yet determined for this court yet.

Appearances are required on 4/15/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a

**United States Bankruptcy Court
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11:30 AM

CONT...

Raeisi Group, Inc

Chapter 11

public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion must and does vacate the evidentiary hearing for the contested matter of Debtor's objection to Claim No. 4 of U.S. Bank National Association as Trustee for Velocity Commercial Capital Loan Trust 2014-1 in this bankruptcy case scheduled for April 22, 2020 at 9:00 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012 because in person appearances are not permitted in the courthouse on that date. No appearances are required on April 22, 2020 at 9:00 a.m. as the evidentiary hearing on that date is vacated.

The court further on its own motion sets a status conference in this contested matter on April 15, 2020 at 11:00 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012. The purpose of the status conference is to discuss rescheduling the evidentiary hearing on the claim objection. Because the Roybal Federal Building is closed to the public on April 15, 2020 by the aforementioned order of the United States District Court, the parties to this contested matter and their counsel must appear telephonically at the status conference in accordance with the court's telephone appearance procedures posted online on the court's website.

Prior tentative ruling as of 3/9/20. Off calendar. The court vacated the hearing on 3/11/20 after resetting the matter for trial on 4/22/20 at 9:00 a.m. No appearances are required on 3/11/20.

Prior tentative ruling as of 1/16/20. Off calendar. Continued by stipulation and order to 2/28/20 at 10:00 a.m. No appearances are required on 1/17/20.

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Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, June 3, 2020

Hearing Room 1675

11:30 AM

CONT... Raesi Group, Inc

Chapter 11

Prior tentative ruling as of 11/13/19. Off calendar. Evidentiary hearing on 11/15/19 vacated by order entered on 11/13/19, and telephonic status conference is set for 11/26/19 at 1:30 p.m. to reschedule evidentiary hearing if the parties are unable to stipulate to a continued hearing date and time. No appearances are required on 11/15/19.

Revised tentative ruling as of 10/2/19. Off calendar. Continued by stipulation and order to 11/15/19 at 9:00 a.m. No appearances are required on 10/4/19.

Prior tentative ruling as of 7/29/19. No tentative ruling on the merits. Appearances are required on 7/31/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. No tentative ruling on the merits. Appearances are required on 6/26/19.

Prior tentative ruling. Treat the motion objecting to claim as a contested matter under FRBP 9014 and set a schedule of pretrial proceedings, including discovery, since there are disputed issues of material fact. Parties should confer regarding an appropriate schedule if they can. Appearances are required on 5/8/19, but counsel may appear by telephone.

Creditor may be entitled to its claim for attorneys' fees under 11 U.S.C. 506(b) pursuant to contract based on its loan agreement secured by deed of trust, which were upheld as valid in the state court litigation. The four elements for a claim under 11 U.S.C. 506(b) are: (1) its claim is an allowed secured claim; (2) it is an oversecured creditor; (3) the fees it asserts are reasonable; and (4) the fees it asserts are provided for under an agreement under which such claim arose, or the fees are provided for under a state statute under which the creditor's claim arose. In re Astle, 364 B.R. 735, 741 (Bankr. D. Idaho 2007). The claim is an allowed secured claim based on the state court judgment, though the judgment is on appeal. The creditor is an oversecured creditor, which is not in dispute. The reasonableness of the fees it asserts is in material dispute. Creditor has only submitted redacted versions of its counsel's fee statements, which do not provide sufficient information for the court to review for reasonableness. Creditor must file unredacted versions, or submit unredacted versions in camera with a privilege log if creditor claims that the redacted matter is privileged. Debtor as the objecting party must carry

**United States Bankruptcy Court
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Wednesday, June 3, 2020

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11:30 AM

CONT... **Raesi Group, Inc**

Chapter 11

its burden of explaining what in the fee statements are unreasonable or at least what would be reasonable under the circumstances. In re Koncicky, 2007 WL 7540997 (9th Cir. BAP 2007)(unpublished memorandum opinion) (citation omitted). Debtor has the responsibility to challenge the information and provide evidence controverting that produced by creditor. Id. Debtor has not met this burden. The fees that creditor asserts are provided by the loan agreement between it and its borrower providing for reasonable attorneys' fees if it incurs or pays to maintain, protect or enforce its rights under the loan agreement as secured by the deed of trust. Exhibits A and C to Favela Declaration. Case law in California allows such fees to be added to the balance under the promissory note secured by trust deed. Chacker v. JPMorgan Chase Bank, N.A., 27 Cal.App.5th 351, 356-358 (2018). However, there is no separate award of attorneys' fees authorized by statute, such as California Civil Code 1717 because debtor is not a signatory to the contract in the loan agreement and creditor has not otherwise shown that it would have been liable for the fees of the opposing party if the opposing party had prevailed. Asphalt Professionals, Inc. v. Davis (In re Davis), 595 B.R. 818, 837 (Bankr. C.D. Cal. 2019), citing, Dell Merk, Inc. v. Franzia, 132 Cal.App.4th 443, 441 (2005). Thus, creditor will need to submit fully unredacted copies of its fee statements to the court, and debtor will need to explain what in the fee statements are unreasonable and/or produce evidence showing that the fees are unreasonable.

Party Information

Debtor(s):

Raesi Group, Inc

Represented By
Christopher P Walker

Movant(s):

Raesi Group, Inc

Represented By
Christopher P Walker

**United States Bankruptcy Court
Central District of California
Los Angeles
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Courtroom 1675 Calendar**

Wednesday, June 3, 2020

Hearing Room 1675

2:00 PM

2:18-13759 Charles Peters

Chapter 11

#28.00 Technical pretrial conference re: Motion for relief from stay
(County of Riverside VS Debtor)
fr. 2/7/20, 4/15/20, 4/29/20

Docket 20

Tentative Ruling:

Updated tentative ruling as of 5/28/20. No tentative ruling on the merits in light of the pending motion of counsel for debtor to withdraw, which will impact the scheduling of the trial. Appearances are required on 6/3/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 4/27/20. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the chief judge of the United States District Court for the Central District of California issued an Order of the Chief Judge No. 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, which closure has been extended through June 1,

**United States Bankruptcy Court
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Wednesday, June 3, 2020

Hearing Room 1675

2:00 PM

CONT...

Charles Peters

Chapter 11

2020 by announcement on April 13, 2020, and accordingly, the court cannot conduct an in person trial in the courtroom until at least June 1, 2020. Moreover, the County of Los Angeles and City of Los Angeles have issued public health orders prohibiting public and private gatherings in their jurisdictions until at least May 15, 2020, which are likely to be extended, which orders may apply to the trial. The court scheduled the status conference on 4/29/20 to discuss with the parties how a trial in the matter may be conducted and when possibly it can be scheduled. Given the current surge of coronavirus cases in the court and in the state and the need for appropriate social distancing, it would probably be prudent not to schedule so soon. In this court's view, a trial will not be scheduled earlier than 6/1/20. A court committee is being appointed to consider the conduct of video evidentiary hearings, but whether this is technically feasible and legally proper has not yet determined for this court yet.

Appearances are required on 4/29/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Giovanni Orantes
Luis A Solorzano

**United States Bankruptcy Court
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Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, June 3, 2020

Hearing Room 1675

2:00 PM

CONT... Charles Peters

Chapter 11

Movant(s):

Riverside County Treasurer-Tax

Represented By
Ronak N Patel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, June 3, 2020

Hearing Room 1675

2:00 PM

2:18-13759 Charles Peters

Chapter 11

#29.00 Hearing re: Debtor's emergency motion to continue the hearing and briefing deadlines
[Pursuant to LBR 9013-1(m)]

Docket 297

Tentative Ruling:

No tentative ruling will be issued on the merits on the motion heard on shortened notice. Appearances are required on 6/3/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Giovanni Orantes
Luis A Solorzano

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, June 3, 2020

Hearing Room 1675

2:00 PM

2:18-13759 Charles Peters

Chapter 11

#30.00 Hearing re: Motion to be relieved as counsel for debtor

Docket 296

Tentative Ruling:

No tentative ruling on the merits will be issued on the motion heard on shortened notice. Appearances are required on 6/3/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Giovanni Orantes
Luis A Solorzano

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

Thursday, June 4, 2020

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#1.00 Cont'd status conference re: Motion for order disallowing proof of claim no. 7-1 filed by Ghazer Zehnaly
fr. 6/25/19, 3/4/20, 5/6/20

Docket 343

Tentative Ruling:

Updated tentative ruling as of 5/28/20. No tentative ruling on the merits. Appearances are required on 6/4/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 5/4/20. No tentative ruling on the merits. Appearances are required on 5/6/20 to discuss the status of the adversary proceeding, including the status of settlement discussions and the setting of further proceedings, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees

**United States Bankruptcy Court
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Thursday, June 4, 2020

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/3/20. The court has reviewed creditor Zehnaly's unilateral status report for this contested matter. No tentative ruling on the merits. Appearances are required on 3/4/20 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. Appearances are required on 6/25/19 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 5/28/19. No tentative ruling on the merits. Appearances are required on 5/29/19 to discuss scheduling of further proceedings, including discovery and trial.

Prior tentative ruling as of 5/2/16. Appearances are required on 5/4/16, but counsel may appear by telephone.

Prior tentative ruling as of 4/4/16. The court has reviewed debtor's unilateral status report. No tentative ruling on the merits. Appearances are required on 4/5/16 to discuss status of mediation and scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 2/22/16. The court has reviewed debtor's unilateral status report. No tentative ruling on the merits. Appearances are required on 2/24/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/28/15. No tentative ruling on the merits. Appearances are required on 9/30/15 to discuss scheduling of pretrial and trial proceedings.

Prior tentative ruling. Treat as a contested matter under FRBP 9014 and set schedule of pretrial and trial proceedings. Parties should advise the court on their pretrial and trial needs. The court also notes that claimant failed to provide a

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11:00 AM

CONT... **Sarkis Investments Company, LLC**

Chapter 11

judge's copy of the opposition which have separately tabbed exhibits as required by Local Bankruptcy 5005-2(d) and will have to provide such copy.

Debtor's evidentiary objection to exhibits in support of the opposition appears to have merit, and while the court might sustain the objection, the court will afford an opportunity to claimant to support declarations to authenticate the exhibits as well as to provide the declaration of claimant under penalty of perjury to support the factual assertions in the opposition. The court is not satisfied that the declaration of counsel in support of the opposition is sufficient due to lack of foundation of the factual representations made therein. The court may continue the hearing for claimant to remedy these procedural deficiencies, or just set a litigation schedule. The court is not inclined to sustain the objection of debtor at this time without giving claimant an opportunity to cure the procedural deficiencies of the opposition in light of the amount of controversy and the facial validity of the arguments in the opposition supported by the exhibits (i.e., there appears to be a bona fide dispute about whether debtor was entitled to retain claimant's \$500,000 deposit if there were omissions of material fact regarding marketable title to the subject real property as alleged in the opposition. Appearances are required on 9/16/15.

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, June 9, 2020

Hearing Room 1675

10:30 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#1.00 Hearing re: Motion for relief from stay
(Elin Khachatourian VS Debtor)

Docket 184

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants relief from stay pursuant to 11 U.S.C. 362(d) (1) to proceed under applicable law to enforce its remedies to proceed to final judgment, provided that the stay remains in effect with respect to enforcement of any judgment against the debtor or property of the debtor's bankruptcy estate, 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 appearances are required on 6/9/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Raesi Group, Inc

Represented By
Lee Burrows

Movant(s):

Elin Khachatourian

Represented By
Jeffrey J Hagen

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, June 9, 2020

Hearing Room 1675

1:30 PM

2:14-22240 Shany Benmoshe

Chapter 7

Adv#: 2:20-01060 Ben-Moshe et al v. California State Board Of Equalization

#2.00 Cont'd status conference re: Complaint for 1. declaratory relief; 2. Violation of discharge fr. 5/12/20

Docket 1

Tentative Ruling:

The court has reviewed the joint status report and notes that the parties do not agree as to dates for a schedule of pretrial proceedings and whether the matter should be ordered to mediation. No tentative ruling on the merits. Appearances are required on 6/9/20 to discuss scheduling and possible referral to mediation, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Shany Benmoshe

Represented By
Simon Aron
Barry E Cohen

Defendant(s):

California State Board Of

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, June 9, 2020

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1:30 PM

CONT... Shany Benmoshe

Chapter 7

Plaintiff(s):

Shany Ben-Moshe

Represented By
Barry E Cohen

Shany Benmoshe

Represented By
Barry E Cohen

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 9, 2020

Hearing Room 1675

1:30 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01158 Carter et al v. Martinez

#3.00 Cont'd status 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. 10/22/19, 2/11/20, 4/29/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/8/20. Off calendar. Having considered the joint status report filed on 6/5/20 representing that the state court criminal proceedings are still pending with a further hearing on 8/12/20, the court continues the status conference on its own motion to 9/8/20 at 1:30 p.m. No appearances are required on 6/9/20, and counsel for plaintiff is ordered to give notice to counsel for defendant.

Prior tentative ruling as of 4/27/20. Off calendar. Having considered the joint status report filed on 4/23/20 representing that the state court criminal proceedings are still pending with a further hearing on 5/27/20, the court continues the status conference on its own motion to 6/9/20 at 1:30 p.m. No appearances are required on 4/29/20, and counsel for plaintiff is ordered to give notice to counsel for defendant.

Prior tentative ruling as of 2/11/20. The court has reviewed the parties' joint status update. No tentative ruling on the merits. Appearances are required on 2/11/20, but counsel may appear by telephone.

Prior tentative ruling as of 10/21/19. No tentative ruling on the merits. Appearances are required on 10/22/19, but counsel may appear by telephone.

Prior tentative ruling as of 8/27/19. The court has reviewed the explanation of counsel for plaintiffs dated 4/17/17, but filed on 8/26/19, requesting a continuance of the pretrial conference for about 45 days pending the outcome

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1:30 PM

CONT...

Anthony Roy Martinez

Chapter 7

of the preliminary hearing in the state court criminal case against defendant. Appearances are required on 8/27/19 to discuss scheduling of further proceedings in light of the pending criminal case against defendant, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. No tentative ruling on the merits. Appearances are required on 6/25/19, but counsel may appear by telephone.

Prior tentative ruling as of 2/4/18. No tentative ruling on the merits. Appearances are required on 2/5/19, but counsel may appear by telephone.

Prior 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.

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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
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Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, June 9, 2020

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, June 9, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01474 Avery v. Voong

#4.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential, fraudulent, unauthorized postpetition transfers; and disallowance of claim fr. 2/18/20, 3/24/20, 4/28/20

Docket 1

***** VACATED *** REASON: Cont'd from 6/9/20 to 7/21/20 at 1:30 p.m.
per stip & order entered on 5/28/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 6/8/20. Off calendar. Continued by stipulation and order to 7/21/20 at 1:30 p.m. No appearances are required on 6/9/20.

Prior tentative ruling as of 3/18/20. Off calendar. Continued by stipulation and order to 4/28/20 at 1:30 p.m. No appearances are required on 2/18/20.

Prior tentative ruling. Continued by stipulation and order to 3/24/20 at 1:30 p.m. No appearances are required on 2/18/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Kevin Voong

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald

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

Tuesday, June 9, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

Richard A Marshack
D Edward Hays
David Wood

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, June 9, 2020

Hearing Room 1675

2:00 PM

2:18-18159 Martha Alicia Fernandez

Chapter 7

Adv#: 2:18-01327 Walden et al v. Fernandez

#5.00 Cont'd status conference re: Complaint for non-dischargeability of debtor under §523(a)(2)(A)
fr. 12/3/19, 3/12/20, 4/7/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/8/20. No tentative ruling on the merits. The court will discuss proceeding with the evidentiary hearing remotely by videoconferencing in light of the current pandemic and has issued an order describing proposed remote trial procedures for the hearing. Appearances are required on 6/9/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Revised tentative ruling as of 4/6/20. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the chief judge of the United States District Court for the Central District of California issued an Order of the Chief Judge No. 20-042, which among other things closes all courthouses of the Central District of California to the public, including the

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2:00 PM

CONT... Martha Alicia Fernandez

Chapter 7

Roybal Federal Building, through May 1, 2020, and accordingly, the court cannot conduct an in person trial in the courtroom until at least May 1, 2020. Moreover, the County of Los Angeles and City of Los Angeles have issued public health orders prohibiting public and private gatherings in their jurisdictions until at least April 19, 2020, which are likely to be extended, which orders may apply to the trial. The court schedules the status conference on 4/7/20 to discuss with the parties how a trial in the matter may be conducted and when possibly it can be scheduled. Given the current surge of coronavirus cases in the court and in the state and the need for appropriate social distancing, it would probably be prudent not to schedule so soon. In this court's view, a trial will not be scheduled earlier than 6/1/20. A court committee is being appointed to consider the conduct of video evidentiary hearings, but whether this is technically feasible and legally proper has not yet determined for this court yet.

Appearances are required on 4/7/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/10/20. In light of the emerging public health threat of coronavirus disease (COVID-19) in the United States and the world, the court in an abundance of caution postpones the trial in this adversary proceeding scheduled for 3/12/20 and 3/13/20. The court sets a status conference in this matter for 4/7/20 at 2:00 p.m. to reschedule the trial so that the court and the parties can assess the emerging and rapidly developing situation regarding the coronavirus and determine that the trial can safely

**United States Bankruptcy Court
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Tuesday, June 9, 2020

Hearing Room 1675

2:00 PM

CONT...

Martha Alicia Fernandez

Chapter 7

proceed. No appearances are required on 3/12/20 and 3/13/20 as the trial will not proceed on those days, and counsel should so advise the parties and the witnesses.

Prior tentative ruling as of 12/2/19. The joint pretrial stipulation is missing stipulated fact no. 15, which is blank, and the joint exhibit list and any objections to the exhibits referred to in the joint pretrial stipulation, but the exhibit list and objections are not attached. Appearances are required on 12/4/19, but counsel may appear by telephone.

Prior tentative ruling as of 11/18/19. Off calendar. The court has reviewed the counsel declarations regarding preparation of the joint pretrial stipulation. The court on its own motion continues the pretrial conference to 12/3/19 at 11:00 a.m. and extends the time for the parties to file a joint pretrial stipulation to 11/26/19. The court expects that the parties will meet and confer to resolve their differences and submit a joint pretrial stipulation, not unilateral pretrial statements, by 11/26/19 (the parties should be able at least to agree to disagree so that there is one joint pretrial stipulation), and the court will impose sanctions of \$250 each on the culpable parties for failure to submit a joint pretrial stipulation as provided in LBR 7016-1. No appearances are required on 11/19/19.

Prior tentative ruling as of 11/8/19. Off calendar. Continued by stipulation and order to 11/19/19 at 2:00 p.m. No appearances are required on 11/12/19.

Prior tentative ruling as of 8/12/19. Appearances are required on 8/13/19, and parties to address the status of mediation, their failure to conduct a meeting of counsel pursuant to LBR 7026-1, the status of discovery and scheduling of further proceedings.

Prior tentative ruling as of 3/11/19. The court has reviewed the joint status report. Set a discovery cutoff date of 7/1/19 and a post-discovery status conference on 7/30/19 at 1:30 p.m. with a joint status report due on 7/23/19. Appearances are required on 3/12/19 to discuss the failure of counsel to have the early meeting of counsel under LBR 7026-1 and whether the matter should be referred to mediation, but counsel may appear by telephone.

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Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, June 9, 2020

Hearing Room 1675

2:00 PM

CONT... Martha Alicia Fernandez

Chapter 7

Prior tentative ruling. The court notes that the parties failed to file a joint status report as required by Local Bankruptcy Rule 7016-1 and the court's order setting initial status conference in adversary proceeding filed and entered on 10/23/18, and such failure may subject the parties to monetary sanctions of \$100 each. The parties have not indicated to the court that they have met and conferred as required by Federal Rule of Bankruptcy Procedure 7026 and Local Bankruptcy Rule 7026-1. Appearances are required on 1/8/19.

Party Information

Debtor(s):

Martha Alicia Fernandez

Represented By
Gary S Saunders

Defendant(s):

Martha Alicia Fernandez

Pro Se

Plaintiff(s):

Yvette Walden

Pro Se

Guadalupe L Cruz

Pro Se

Jose L Cruz

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, June 9, 2020

Hearing Room 1675

2:30 PM

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

Chapter 7

#6.00 Cont'd hearing re: Chapter 7 trustee's omnibus objection to: Claim No. 11 - Shaoxing LeiLei Import & Export; Claim No. 12 - Cong Ty Tnhh Anh Chau; Claim No. 13 - Shaoxing Tuchang Knitting Textile; Claim No. 14 - Gia Phu Fashion Company; and Claim No. 15 - Cong Ty May Trinh Vuong
fr. 4/28/20, 6/2/20

Docket 351

Tentative Ruling:

Updated tentative ruling as of 6/8/20. In response to the trustee's omnibus objections to claims, claimants through their attorney filed amended claims on 5/11/20 and 5/12/20. Pursuant to Rule 3001(f) of the Federal Rule of Bankruptcy Procedure (FRBP), proofs of claim executed and filed in accordance with the FRBP shall constitute prima facie evidence of the validity and amount of the claims. In reply, the trustee supported by declarations of Linda Lee and Michael Weinberg has rebutted the prima facie correctness of the amended proofs of claim by showing that the documents attached to the amended proofs of claim were fabricated and are not genuine. Moreover, in the court's view, the documents to support amended claims lack evidentiary foundation as none of the documents attached in support of the amended claims are properly authenticated by someone with personal knowledge as required by Rules 602, 901 and 902 of the Federal Rules of Evidence, which tends to show that the objections to the claims have rebutted the prima facie correctness of the claims, and that the claimants bear the ultimate burden of proving the validity of their claims and should be prepared to show that they have met this burden at the hearing. In re Holm, 931 F.2d 620, 623 (9th Cir. 1991).

Appearances are required on 6/9/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central

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2:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling. Continued by stipulation and order to 6/2/20 at 2:30 p.m. No appearances are required on 4/28/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, June 10, 2020

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. 10/3/18, 6/26/19, 12/11/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/8/20. No tentative ruling on the merits. Appearances are required on 6/10/20 to discuss status of pending state court litigation regarding estate's negligence claims against its former real estate broker, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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
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Wednesday, June 10, 2020

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. 5/29/19, 12/4/19, 1/8/20

Docket 140

Tentative Ruling:

Updated tentative ruling as of 6/8/20. Off calendar. In light of the pending settlement between the liquidating trustee and parties to the pending adversary proceeding, Lowell Sharron and Beyond Basics, LLC, which has an impact on the status of the case, the court on its own motion continues the status conference to 6/16/20 at 2:30 p.m. to be conducted with the hearing on the motion to approve the settlement. No appearances are required on 6/10/20.

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, June 10, 2020

Hearing Room 1675

11:00 AM

2:18-10551 Nina Mosby

Chapter 11

#3.00 Cont'd status conference re: Post confirmation of plan
fr. 10/16/19, 12/11/19, 4/8/20

Docket 77

Tentative Ruling:

Updated tentative ruling as of 6/8/20. No tentative ruling on the merits. The court will conduct the status conference in case that the United States Trustee or another party in interest has concerns regarding status, including the making of plan payments, even though debtor reports in her latest status report that she is now current on her plan payments. Appearances are required on 6/10/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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, June 10, 2020

Hearing Room 1675

11:00 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#4.00 Cont'd status conference re: Post confirmation of chapter 11 plan
fr. 2/5/20, 2/19/20, 3/4/20

Docket 82

Tentative Ruling:

Updated tentative ruling as of 6/8/20. No tentative ruling on the merits. The court will conduct the status conference in case that the United States Trustee or another party in interest has concerns regarding status. Appearances are required on 6/10/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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 10, 2020

Hearing Room 1675

2:00 PM

2:18-21789 Samuel Marquez

Chapter 11

#5.00 Technical pretrial conference re: Objection to claim no.1 filed by the Internal Revenue Service
fr. 1/14/20, 3/25/20, 4/29/20

Docket 39

***** VACATED *** REASON: Matter to be heard at 3:00 p.m. instead of 2:00 p.m. per order entered on 5/4/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 6/8/20. This matter will be heard on the court's 3:00 p.m. calendar due to a scheduling conflict.

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, June 10, 2020

Hearing Room 1675

2:00 PM

2:19-20372 Lance Stuart Moreland and Care Jo Moreland

Chapter 7

#6.00 Cont'd hearing re: Trustee's: (i) objection to debtors' exemption as to vehicle [2014 Honda Pilot], and (ii) demand for turnover of non-exempt properties of the bankruptcy estate [2013 Toyota Corolla & 6 bank accounts]
fr. 3/24/20, 4/28/20

Docket 21

Tentative Ruling:

Updated tentative ruling as of 6/8/20. As stated in the tentative ruling for the prior hearing on the trustee's motion, the court will treat the motion as a contested matter and intends to set it for an evidentiary hearing to resolve disputed issues of material fact. The court notes that debtors have filed a motion to convert the case to Chapter 13, which may be opposed and set for hearing as well. No tentative ruling on the merits. Appearances are required on 6/10/20 to discuss scheduling of further proceedings, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 4/24/20. Treat trustee's objection to debtors' exemptions as to the 2014 Honda Pilot as a tool of the trade and 2013 Toyota Corolla as an exempt motor vehicle and demand for turnover of nonexempt property as a contested matter under FRBP 9014 because there are disputed material issues of fact relating to whether the Honda Pilot is a tool of the trade of debtor husband and the valuation of the motor vehicles claimed as exempt.

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

Wednesday, June 10, 2020

Hearing Room 1675

2:00 PM

CONT...

Lance Stuart Moreland and Care Jo Moreland

Chapter 7

Overrule debtors' opposition that trustee's objection is untimely because the meeting of creditors under 11 U.S.C. 341(a) was continued with specific adjournment date and the objection was timely under FRBP 4003(b) within 30 days of the conclusion of the last scheduled meeting of creditors. In re Bernard, 40 F.3d 1028, 1031 (9th Cir. 1994). In re Smith, 235 F.3d 472 (9th Cir. 2000) is inapplicable because there was no open-ended adjournment of the meeting of creditors in this case. The objecting party has the burden of proving that the exemption is not properly claimed. FRBP 4003(c). If the objecting party can produce evidence sufficient to rebut the presumption of validity, the burden of production shifts to the debtor to provide unequivocal evidence to demonstrate that the exemption is proper. In re Diaz, 547 B.R. 329, 336 (9th Cir. BAP 2016). The burden of proof is substantive, not procedural; therefore, the burden of proof should be borne by the same party who would bear the burden outside the bankruptcy (i.e, debtors). Raleigh v. Illinois Department of Revenue, 530 U.S. 15, 20-21 (2000). See also In re Pashenee, 531 B.R. 834, 837 (Bankr.E.D.Cal. 2015). State law applies in an objection to an exemption because CA mandates the use of state exemptions. In re Diaz, 547 B.R. at 337. Under California law, the exemption claimant has the burden of proof. California Code of Civil Procedure 703.580(b). Here, the trustee has sufficiently rebutted the presumption of validity based on evidence of debtor husband's other employment and lack of commercial vehicle insurance coverage for the Honda Pilot, therefore debtors have the burden of proof for the claimed exemptions. Whether the Honda Pilot is a tool of the trade is a factual issue under California Code of Civil Procedure 704.060(a) (1). See In re Garcia, 451 B.R. 909, 917 (C.D. Cal. 2011). To determine whether a vehicle is a tool of the trade, the proper inquiry is whether or not the vehicle is used by and is necessary to a debtor for his work, trade or occupation. Id. at 918 (citations omitted). Whether the vehicle is used in a debtor's trade is a question of fact. Id. (citation omitted). Even if the Honda Pilot is an exempt tool of the trade, the exemption amount is limited to \$4,850 under California Code of Civil Procedure 704.060(d) and may be disallowed since the Toyota Corolla is being claimed as an exempt motor vehicle which could be reasonably used as debtor's tool of the trade pursuant to California Code of Civil Procedure 704.060(c). The current limit for a motor vehicle exemption as adjusted for cost of living under California Code of Civil

**United States Bankruptcy Court
Central District of California
Los Angeles
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Wednesday, June 10, 2020

Hearing Room 1675

2:00 PM

CONT... Lance Stuart Moreland and Care Jo Moreland Chapter 7

Procedure 704.010(a) is \$3,325, and to the extent that the Toyota Corolla exceeds that amount, such value is nonexempt. The CarMax valuations provided by debtors for the Honda Pilot and Toyota Corolla are not competent and credible evidence of valuation since such valuations lack evidentiary foundation under FRE 602, 702, 801-802 and 901. Grant trustee's unopposed request for turnover of nonexempt bank account funds. Set for an evidentiary hearing to resolve factual disputes.

Appearances are required on 4/28/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues the hearing on the contested matter of the Chapter 7 Trustee's: (i) Objection to Debtors' Exemption as to Vehicle [2014 Honda Pilot], and (ii) Demand for Turnover of Non-exempt Properties of the Bankruptcy Estate [2013 Toyota Corolla & 6 Bank Accounts], Docket No. 21, in this bankruptcy case scheduled for March 24, 2020 at 2:30 p.m. The court continues the hearing on this contested matter to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearing is continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

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

Wednesday, June 10, 2020

Hearing Room 1675

2:00 PM

CONT... Lance Stuart Moreland and Care Jo Moreland

Chapter 7

Debtor(s):

Lance Stuart Moreland

Represented By
Louis J Esbin

Joint Debtor(s):

Care Jo Moreland

Represented By
Louis J Esbin

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, June 10, 2020

Hearing Room 1675

3:00 PM

2:18-21789 Samuel Marquez

Chapter 11

#7.00 Technical pretrial conference re: Objection to claim no.1 filed by the Internal Revenue Service
fr. 1/14/20, 3/25/20, 4/29/20

Docket 39

Tentative Ruling:

No tentative ruling on the merits. The court will discuss proceeding with the evidentiary hearing remotely by videoconferencing in light of the current pandemic and has issued an order describing proposed remote trial procedures for the hearing. Appearances are required on 6/10/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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, June 10, 2020

Hearing Room 1675

3:00 PM

2:18-21789 Samuel Marquez

Chapter 11

#8.00 Cont'd status conference re: Management of chapter 11 case
fr. 2/5/20, 3/4/20, 5/6/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/8/20. No tentative ruling on the merits. Appearances are required on 6/10/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 5/4/20. Off calendar. The court on its own motion continues the Chapter 11 bankruptcy case status conference to 6/10/20 at 3:00 p.m. to be conducted with the technical pretrial conference for the contested matter of debtor's objection to the claim of the Internal Revenue Service because these matters are related. No appearances are required on 5/6/20.

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**

Tuesday, June 16, 2020

Hearing Room 1675

10:30 AM

2:19-15982 Daniel Hyun You

Chapter 7

#1.00 Cont'd hearing re: Motion for relief from stay
(Wells Fargo Bank, N.A. VS Debtor)
fr. 12/10/19, 2/11/20, 3/31/20

Docket 15

***** VACATED *** REASON: Notice of voluntary dismissal filed on
6/15/20-mb.**

Tentative Ruling:

Revised and updated tentative ruling as of 6/15/20. Off calendar. The motion has been voluntarily dismissed by notice filed on 6/15/20. No appearances are required on 6/16/20.

Party Information

Debtor(s):

Daniel Hyun You

Represented By
David Marh

Trustee(s):

Wesley H Avery (TR)

Pro Se

2:20-12978 Gosford Tukutau and Anna Tukutau

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(A-L Financial Corp. VS Debtors)

Docket 14

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local

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Central District of California
Los Angeles
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Courtroom 1675 Calendar**

Tuesday, June 16, 2020

Hearing Room 1675

10:30 AM

CONT... Gosford Tukutau and Anna Tukutau Chapter 7

Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 the request for extraordinary relief in paragraph 2 to confirm that there is no stay in effect for lack of evidentiary and/or legal support. The 14-day waiting period under FRBP 4001(a)(3) is waived. No appearances are required on 6/16/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Gosford Tukutau

Represented By
Sundee M Teeple

Joint Debtor(s):

Anna Tukutau

Represented By
Sundee M Teeple

Movant(s):

A-L Financial Corporation

Represented By
Lincoln D Gardner

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

2:20-13801 Victor Hugo Lopez and Betsabe Sarai Lopez

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(Yamaha Motor Finance Corp. VS Debtors)

Docket 12

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the

**United States Bankruptcy Court
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Los Angeles
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Tuesday, June 16, 2020

Hearing Room 1675

10:30 AM

CONT... Victor Hugo Lopez and Betsabe Sarai Lopez Chapter 7

movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 6/16/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Victor Hugo Lopez

Represented By
Harriet L. Goldfarb

Joint Debtor(s):

Betsabe Sarai Lopez

Represented By
Harriet L. Goldfarb

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 16, 2020

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

#4.00 Order to show cause why sanctions should not be imposed against plaintiff's attorney Jason Shon and defendants' attorney Bahram Madaem for failure to appear at status conference

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/12/20. The court having reviewed the declaration of Attorney Bahram Madaem in response to the order to show cause, discharge the order to show cause as to him, but no tentative ruling on the merits as to Attorney Jason Shon. Appearances are required on 6/16/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Jong J Kim

Represented By
M Teri Lim

Defendant(s):

Sun Y Kim

Represented By
Bahram Madaem

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

Tuesday, June 16, 2020

Hearing Room 1675

1:30 PM

CONT... Jong J Kim

Chapter 7

Jong Joo Kim

Jason Shon

Represented By
Bahram Madaen
Jason Shon

Joint Debtor(s):

Sun Y Kim

Represented By
M Teri Lim

Plaintiff(s):

Kevin Shon

Represented By
Jason Shon
Bahram Madaen

Sunny Shon

Represented By
Jason Shon
Bahram Madaen

Trustee(s):

David M Goodrich (TR)

Pro Se

2:18-11148 Jong J Kim

Chapter 7

Adv#: 2:18-01134 Shon et al v. Kim et al

#5.00 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. 10/22/19, 3/31/20, 5/5/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/12/20. No tentative ruling on the merits. Appearances are required on 6/16/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of

**United States Bankruptcy Court
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1:30 PM

CONT...

Jong J Kim

Chapter 7

California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Updated tentative ruling as of 5/1/20. No tentative ruling on the merits. Appearances are required on 5/5/20 to discuss the status of the adversary proceeding, including the status of mediation and settlement negotiations and if not settled, when a pretrial conference should be set, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued

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1:30 PM

CONT...

Jong J Kim

Chapter 7

General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion continues the status conference in this adversary proceeding scheduled for March 31, 2020 at 1:30 p.m. to May 5, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference is continued to May 5, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012. Counsel for plaintiff is ordered to give notice to the other parties.

Prior tentative ruling as of 10/21/19. Appearances are required on 10/22/19, but counsel may appear by telephone.

tentative ruling as of 6/24/19. Schedule a pretrial conference for this adversary proceeding if the matter is not being settled. Appearances are required on 6/25/19, but counsel may appear by telephone.

Prior tentative ruling as of 3/25/19. The court has reviewed the stipulation of the parties regarding continuance of scheduled dates and hearings filed on 2/27/19 and based on that stipulation, set a new discovery cutoff date of 5/29/19 and a post-discovery status conference on 6/25/19 at 1:30 p.m. (status conferences are held on Tuesdays at 1:30 p.m.) with a joint status report due on 6/18/19. Order the matter to mediation, and the parties to file a selection of mediator and alternate mediator by 4/15/19 and complete mediation by 6/25/19. No appearances are required on 9/18/18. Plaintiffs to submit a proposed scheduling order within 7 days.

Prior 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.

**United States Bankruptcy Court
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Tuesday, June 16, 2020

Hearing Room 1675

1:30 PM

CONT... Jong J Kim

Chapter 7

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.

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

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, June 16, 2020

Hearing Room 1675

1:30 PM

CONT... Jong J Kim

Chapter 7

Sunny Shon
Jason Shon
Represented By
Jason Shon

Trustee(s):

David M Goodrich (TR) Pro Se

2:19-10596 Robert David Katz

Chapter 11

Adv#: 2:19-01215 Katz et al v. Capital One et al

#6.00 Order to show cause why sanctions should not be imposed against plaintiffs' attorney Ori S. Blumenfeld and defendants' attorneys Bicole Skolnekovich and Matthew I. Bobb for failure to appear at status conference

Docket 1

Tentative Ruling:

The court having read the declaration of Victor A. Sahn, former counsel for debtors, discharge the order to show cause re: sanctions. No appearances are required on 6/16/20.

Party Information

Debtor(s):

Robert David Katz
Represented By
Mark M Sharf
Ori S Blumenfeld

Defendant(s):

Capital One Pro Se
Capital One, National Association Pro Se
Capital One Bank (USA) Represented By
Matthew I Bobb
Capital One Bank (USA), National Pro Se

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

Tuesday, June 16, 2020

Hearing Room 1675

1:30 PM

CONT...

Robert David Katz

Chapter 11

Capital One Bank (USA), N.A.

Represented By
Nichole Glowin

Capital One Bank (USA), N.A.

Represented By
Nicole Skolnekovich

Joint Debtor(s):

Roslyn Soudry Katz

Represented By
Mark M Sharf
Ori S Blumenfeld

Plaintiff(s):

Roslyn Soudry Katz

Represented By
Victor A Sahn
Cathy Ta
Ori S Blumenfeld

Robert David Katz

Represented By
Victor A Sahn
Cathy Ta
Ori S Blumenfeld

2:19-10596 Robert David Katz

Chapter 11

Adv#: 2:19-01215 Katz et al v. Capital One et al

#7.00 Hearing re: Motion to dismiss adversary proceeding with prejudice

Docket 30

Tentative Ruling:

Off calendar. In light of the lack of a timely written opposition to the defendant's motion to dismiss the adversary proceeding with prejudice, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written opposition as consent to the granting of the motion pursuant to Local Bankruptcy Rule

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, June 16, 2020

Hearing Room 1675

1:30 PM

CONT... Robert David Katz

Chapter 11

9013-1(h), rules on the motion on the papers, and grants the motion of defendant to dismiss with prejudice for reasons stated in the motion and for lack of timely written opposition. No appearances are required on 6/16/20. Defendant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Robert David Katz

Represented By
Mark M Sharf
Ori S Blumenfeld

Defendant(s):

Capital One

Represented By
Matthew I Bobb
Ori S Blumenfeld

Capital One, National Association

Pro Se

Capital One Bank (USA)

Represented By
Matthew I Bobb

Capital One Bank (USA), National

Represented By
Matthew I Bobb
Ori S Blumenfeld

Capital One Bank (USA), N.A.

Represented By
Nichole Glowin
Matthew I Bobb
Ori S Blumenfeld

Capital One Bank (USA), N.A.

Represented By
Nicole Skolnekovich

Joint Debtor(s):

Roslyn Soudry Katz

Represented By
Mark M Sharf
Ori S Blumenfeld

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

Tuesday, June 16, 2020

Hearing Room 1675

1:30 PM

CONT... Robert David Katz

Chapter 11

Plaintiff(s):

Roslyn Soudry Katz

Represented By
Victor A Sahn
Cathy Ta
Ori S Blumenfeld

Robert David Katz

Represented By
Victor A Sahn
Cathy Ta
Ori S Blumenfeld

2:19-10596 Robert David Katz

Chapter 11

Adv#: 2:19-01215 Katz et al v. Capital One et al

#8.00 Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers; (2) Recovery of Preferential Transfers; (3) Avoidance of Post-Petition Transfers; (4) Recovery of Post-Petition Transfers; (5) Preservation of Avoided Transfers; and (6) Disallowance of Claims
fr. 10/16/19, 3/3/20, 5/5/20

Docket 1

Tentative Ruling:

Since the tentative ruling on the pending motion to dismiss is to grant the motion, there is no further need to conduct a status conference as it would be rendered moot upon the granting of the motion to dismiss. No appearances are required on 6/16/20.

Party Information

Debtor(s):

Robert David Katz

Represented By
Mark M Sharf
Ori S Blumenfeld

**United States Bankruptcy Court
Central District of California
Los Angeles
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CONT... Robert David Katz

Chapter 11

Defendant(s):

Capital One	Pro Se
Capital One, National Association	Pro Se
Capital One Bank (USA)	Represented By Matthew I Bobb
Capital One Bank (USA), National	Pro Se
Capital One Bank (USA), N.A.	Represented By Nichole Glowin
Capital One Bank (USA), N.A.	Represented By Nicole Skolnekovich

Joint Debtor(s):

Roslyn Soudry Katz	Represented By Mark M Sharf Ori S Blumenfeld
--------------------	--

Plaintiff(s):

Roslyn Soudry Katz	Represented By Victor A Sahn Cathy Ta
Robert David Katz	Represented By Victor A Sahn Cathy Ta

2:19-14907 Messiah Trucking, Inc.

Chapter 7

Adv#: 2:20-01085 Pringle v. Stallion Transport, Inc., a California corporation

#9.00 Hearing re: Motion for default judgment against defendant Stallion Transport, Inc.

Docket 10

Tentative Ruling:

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

Tuesday, June 16, 2020

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1:30 PM

CONT... **Messiah Trucking, Inc.**

Chapter 7

Grant plaintiff's motion for default judgment for the reasons stated in the moving papers and for lack of timely written opposition. Plaintiff to lodge a proposed order within 7 days of hearing.

Appearances are optional on 6/16/20, but if appearing, counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Messiah Trucking, Inc.

Represented By
Lane K Bogard

Defendant(s):

Stallion Transport, Inc., a California

Pro Se

Plaintiff(s):

John P. Pringle

Represented By
Michelle A Marchisotto

Trustee(s):

John P Pringle (TR)

Represented By
Michelle A Marchisotto

Gary Gross

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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2:19-14907 Messiah Trucking, Inc.

Chapter 7

Adv#: 2:20-01085 Pringle v. Stallion Transport, Inc., a California corporation

#10.00 Status conference re: Complaint for turnover of estate's property

Docket 1

Tentative Ruling:

Since the tentative ruling on the pending motion for default judgment is to grant the motion, there is no further need to conduct a status conference as it would be rendered moot upon the granting of the motion for default judgment.

Appearances are optional on 6/16/20, but if appearing, counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Messiah Trucking, Inc.

Represented By
Lane K Bogard

Defendant(s):

Stallion Transport, Inc., a California

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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CONT... Messiah Trucking, Inc.

Chapter 7

Plaintiff(s):

John P. Pringle

Represented By

Michelle A Marchisotto

Trustee(s):

John P Pringle (TR)

Represented By

Michelle A Marchisotto

Gary Gross

Pro Se

2:19-14907 Messiah Trucking, Inc.

Chapter 7

Adv#: 2:20-01086 Pringle v. Toll Global Forwarding (USA) Inc., a New York corp

#11.00 Hearing re: Motion for default judgment against defendant Toll Global Forwarding (USA), Inc.

Docket 10

Tentative Ruling:

Grant plaintiff's motion for default judgment for the reasons stated in the moving papers and for lack of timely written opposition. Plaintiff to lodge a proposed order within 7 days of hearing.

Appearances are optional on 6/16/20, but if appearing, counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about

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CONT... Messiah Trucking, Inc. Chapter 7
arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Messiah Trucking, Inc.

Represented By
Lane K Bogard

Defendant(s):

Toll Global Forwarding (USA) Inc.,

Pro Se

Plaintiff(s):

John P. Pringle

Represented By
Michelle A Marchisotto

Trustee(s):

John P Pringle (TR)

Represented By
Michelle A Marchisotto

Gary Gross

Pro Se

2:19-14907 Messiah Trucking, Inc. Chapter 7
Adv#: 2:20-01086 Pringle v. Toll Global Forwarding (USA) Inc., a New York corp

#12.00 Status conference re: Complaint for turnover of estate's property

Docket 1

Tentative Ruling:

The court has reviewed plaintiff's unilateral status report. Since the tentative ruling on the pending motion for default judgment is to grant the motion, there is no further need to conduct a status conference as it would be rendered moot upon the granting of the motion for default judgment.

**United States Bankruptcy Court
Central District of California
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CONT... Messiah Trucking, Inc.

Chapter 7

Appearances are optional on 6/16/20, but if appearing, counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Messiah Trucking, Inc.

Represented By
Lane K Bogard

Defendant(s):

Toll Global Forwarding (USA) Inc.,

Pro Se

Plaintiff(s):

John P. Pringle

Represented By
Michelle A Marchisotto

Trustee(s):

John P Pringle (TR)

Represented By
Michelle A Marchisotto

Gary Gross

Pro Se

2:19-14907 Messiah Trucking, Inc.

Chapter 7

Adv#: 2:20-01087 Pringle v. SOEX WEST USA, LLC, a California corporation

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

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CONT... **Messiah Trucking, Inc.**
#13.00 Hearing re: Motion for default judgment

Chapter 7

Docket 10

Tentative Ruling:

Grant plaintiff's motion for default judgment for the reasons stated in the moving papers and for lack of timely written opposition. Plaintiff to lodge a proposed order within 7 days of hearing.

Appearances are optional on 6/16/20, but if appearing, counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Messiah Trucking, Inc.

Represented By
Lane K Bogard

Defendant(s):

SOEX WEST USA, LLC, a

Pro Se

Plaintiff(s):

John P. Pringle

Represented By
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Los Angeles
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CONT... Messiah Trucking, Inc.

Chapter 7

Trustee(s):

John P Pringle (TR)

Represented By
Michelle A Marchisotto

Gary Gross

Pro Se

2:19-14907 Messiah Trucking, Inc.

Chapter 7

Adv#: 2:20-01087 Pringle v. SOEX WEST USA, LLC, a California corporation

#14.00 Status conference re: Complaint for turnover of estate's property

Docket 1

Tentative Ruling:

The court has reviewed plaintiff's unilateral status report. Since the tentative ruling on the pending motion for default judgment is to grant the motion, there is no further need to conduct a status conference as it would be rendered moot upon the granting of the motion for default judgment.

Appearances are optional on 6/16/20, but if appearing, counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

**United States Bankruptcy Court
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CONT... Messiah Trucking, Inc.

Chapter 7

Debtor(s):

Messiah Trucking, Inc.

Represented By
Lane K Bogard

Defendant(s):

SOEX WEST USA, LLC, a

Pro Se

Plaintiff(s):

John P. Pringle

Represented By
Michelle A Marchisotto

Trustee(s):

John P Pringle (TR)

Represented By
Michelle A Marchisotto

Gary Gross

Pro Se

2:19-14907 Messiah Trucking, Inc.

Chapter 7

Adv#: 2:20-01088 Pringle v. SLC International, Inc., a California corporation

#15.00 Hearing re: Motion for default judgment

Docket 10

Tentative Ruling:

Grant plaintiff's motion for default judgment for the reasons stated in the moving papers and for lack of timely written opposition. Plaintiff to lodge a proposed order within 7 days of hearing.

Appearances are optional on 6/16/20, but if appearing, counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, June 16, 2020

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CONT... **Messiah Trucking, Inc.**

Chapter 7

courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Messiah Trucking, Inc.

Represented By
Lane K Bogard

Defendant(s):

SLC International, Inc., a California

Represented By
Michelle A Marchisotto

Plaintiff(s):

John P. Pringle

Represented By
Michelle A Marchisotto

Trustee(s):

John P Pringle (TR)

Represented By
Michelle A Marchisotto

Gary Gross

Pro Se

2:19-14907 Messiah Trucking, Inc.

Chapter 7

Adv#: 2:20-01088 Pringle v. SLC International, Inc., a California corporation

#16.00 Status conference re: Complaint for turnover of estate's property

Docket 1

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

Tuesday, June 16, 2020

Hearing Room 1675

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CONT... Messiah Trucking, Inc.

Chapter 7

Tentative Ruling:

The court has reviewed plaintiff's unilateral status report. Since the tentative ruling on the pending motion for default judgment is to grant the motion, there is no further need to conduct a status conference as it would be rendered moot upon the granting of the motion for default judgment.

Appearances are optional on 6/16/20, but if appearing, counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Messiah Trucking, Inc.

Represented By
Lane K Bogard

Defendant(s):

SLC International, Inc., a California

Pro Se

Plaintiff(s):

John P. Pringle

Represented By
Michelle A Marchisotto

**United States Bankruptcy Court
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CONT... Messiah Trucking, Inc.

Chapter 7

Trustee(s):

John P Pringle (TR)

Represented By

Michelle A Marchisotto

Gary Gross

Pro Se

2:19-14907 Messiah Trucking, Inc.

Chapter 7

Adv#: 2:20-01089 Pringle v. Knight Logistics (Knight Transportation), an Arizo

#17.00 Status conference re: Complaint for turnover of estate's property

Docket 1

Tentative Ruling:

The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 6/16/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Messiah Trucking, Inc.

Represented By

Lane K Bogard

**United States Bankruptcy Court
Central District of California
Los Angeles
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CONT... Messiah Trucking, Inc.

Chapter 7

Defendant(s):

Knight Logistics (Knight) Pro Se

Plaintiff(s):

John P. Pringle
Represented By
Michelle A Marchisotto

Trustee(s):

John P Pringle (TR) Represented By
Michelle A Marchisotto

Gary Gross Pro Se

2:19-14907 Messiah Trucking, Inc.

Chapter 7

Adv#: 2:20-01090 Pringle v. CMA CGM (America) LLC, a New Jersey corporation

#18.00 Status conference re: Complaint for turnover of estate's property

Docket 1

*** VACATED *** REASON: Order of dismissal entered on 5/8/20-mb.

Tentative Ruling:

Off calendar. Adversary proceeding voluntarily dismissed by notice filed on 5/8/20. No appearances are required on 6/16/20.

Party Information

Debtor(s):

Messiah Trucking, Inc. Represented By
Lane K Bogard

Defendant(s):

CMA CGM (America) LLC, a New Pro Se

Plaintiff(s):

John P. Pringle Represented By
Michelle A Marchisotto

**United States Bankruptcy Court
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CONT... Messiah Trucking, Inc.

Chapter 7

Trustee(s):

John P Pringle (TR)

Represented By

Michelle A Marchisotto

Gary Gross

Pro Se

2:19-14907 Messiah Trucking, Inc.

Chapter 7

Adv#: 2:20-01091 Pringle v. WMRA (Waste Management), a corporation

#19.00 Status conference re: Complaint for turnover of estate's property

Docket 1

Tentative Ruling:

Revised and updated tentative ruling as of 6/16/20. Off calendar. Adversary proceeding has been voluntarily dismissed by notice and order entered on 6/16/20. No appearances are necessary.

Party Information

Debtor(s):

Messiah Trucking, Inc.

Represented By

Lane K Bogard

Defendant(s):

WMRA (Waste Management), a

Pro Se

Plaintiff(s):

John P. Pringle

Represented By

Michelle A Marchisotto

Trustee(s):

John P Pringle (TR)

Represented By

Michelle A Marchisotto

Gary Gross

Pro Se

**United States Bankruptcy Court
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2:19-14907 Messiah Trucking, Inc.

Chapter 7

Adv#: 2:20-01092 Pringle v. Clearpoint International, Inc., a California corpo

#20.00 Status conference re: Complaint for turnover of estate's property

Docket 1

Tentative Ruling:

The court has reviewed plaintiff's unilateral status report. Since there is a pending motion for approval of a compromise between the parties who are awaiting the time period for objections to and requests for hearing on the motion to run, the court on its own motion continues the status conference primarily as a holding date to 7/7/20 at 1:30 p.m. No appearances are required on 6/16/20. Counsel for plaintiff to notify defendant of the continuance.

Party Information

Debtor(s):

Messiah Trucking, Inc.

Represented By
Lane K Bogard

Defendant(s):

Clearpoint International, Inc., a

Pro Se

Plaintiff(s):

John P. Pringle

Represented By
Michelle A Marchisotto

Trustee(s):

John P Pringle (TR)

Represented By
Michelle A Marchisotto

Gary Gross

Pro Se

2:19-14907 Messiah Trucking, Inc.

Chapter 7

Adv#: 2:20-01092 Pringle v. Clearpoint International, Inc., a California corpo

**United States Bankruptcy Court
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CONT... Messiah Trucking, Inc.

Chapter 7

#21.00 Hearing re: Motion for default judgment

Docket 10

Tentative Ruling:

The court has reviewed plaintiff's unilateral status report. Since there is a pending motion for approval of a compromise between the parties who are awaiting the time period for objections to and requests for hearing on the motion to run, the court on its own motion continues the hearing on the motion for default judgment primarily as a holding date to 7/7/20 at 1:30 p.m. as approval of the compromise would moot the motion for default judgment. No appearances are required on 6/16/20. Counsel for plaintiff to notify defendant of the continuance.

Party Information

Debtor(s):

Messiah Trucking, Inc.

Represented By
Lane K Bogard

Defendant(s):

Clearpoint International, Inc., a

Pro Se

Plaintiff(s):

John P. Pringle

Represented By
Michelle A Marchisotto

Trustee(s):

John P Pringle (TR)

Represented By
Michelle A Marchisotto

Gary Gross

Pro Se

2:19-22033 Grigor Avetisyan

Chapter 7

Adv#: 2:20-01097 United States Trustee (LA) v. Avetisyan

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, June 16, 2020

Hearing Room 1675

1:30 PM

CONT... Grigor Avetisyan Chapter 7

#22.00 Status conference re: Complaint for denial of discharge pursuant to 11 U.S.C. sections 727(a)(3), (a)(4)(A) and (D) and (a)(5)

Docket 1

Tentative Ruling:

Off calendar. The court has reviewed plaintiff's unilateral status report stating that default has been entered against defendant and that plaintiff will be filing a motion for default judgment in the "near future." The court on its own motion continues the status conference to 8/18/20 at 1:30 p.m., so that plaintiff can file a motion for default judgment sooner rather than later. No appearances are required on 6/16/20.

Party Information

Debtor(s):

Grigor Avetisyan

Represented By
Richard A Avetisyan

Defendant(s):

Grigor Avetisyan

Pro Se

Plaintiff(s):

United States Trustee (LA)

Represented By
Kenneth G Lau

Trustee(s):

John J Menchaca (TR)

Pro Se

2:19-23924 Raymond John Khamo
Adv#: 2:20-01101 MENCHACA v. Vargas

Chapter 7

#23.00 Status conference re: Complaint for (1) sale of property owned in part by non-debtor [11 U.S.C. § 363(h)]; and (2) turnover of estate's property [11 U.S.C. §542]

Docket 1

**United States Bankruptcy Court
Central District of California
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CONT... **Raymond John Khamo** Chapter 7
*** VACATED *** REASON: Cont'd from 6/16/20 to 8/4/20 at 1:30 p.m.
per stip & order entered on 5/28/20-mb.

Tentative Ruling:

Off calendar. Continued by stipulation and order to 8/4/20 at 1:30 p.m. No appearances are required on 6/16/20.

Party Information

Debtor(s):

Raymond John Khamo

Represented By
Sam Benevento

Defendant(s):

Ann Marie Vargas

Pro Se

Plaintiff(s):

JOHN J MENCHACA

Represented By
Toan B Chung

Trustee(s):

John J Menchaca (TR)

Represented By
Toan B Chung

2:19-24787 Bradley Edward Barnes

Chapter 7

Adv#: 2:20-01064 WVJP 2017-1, LP v. Barnes et al

#24.00 Cont'd status conference re: Complaint for 1. for false pretenses, a false representation or actual fraud pursuant to 11 U.S.C. §523(a)(6); in the alternative 2. for false pretenses, a false representation or actual fraud pursuant to 11 U.S.C. §523(a)(2)(A); 3. for false pretenses, a false representation or actual fraud pursuant to 11 U.S.C. §523(a)(2)(B); 4. for willful and malicious injury Y 11 U.S.C. §523(a)(6); 5. for determination that defendant's debts are not dischargeable pursuant to 11 U.S.C. §727(a)(2); 6. for a determination that defendant's debts are not dischargeable pursuant to 11 U.S.C. §727(a)(3); 7. for a determination that defendant's debts are not dischargeable pursuant to 11 U.S.C. §727(a)(4); and 8. for a determination that defendant's debts are not dischargeable

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Tuesday, June 16, 2020

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1:30 PM

CONT...

Bradley Edward Barnes
pursuant to 11 U.S.C. §727(a)(5)
fr. 5/19/20

Chapter 7

Docket 1

***** VACATED *** REASON: Cont'd from 6/16/20 to 8/18/20 at 1:30 pm
per hearing held on 5/19/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 8/18/20 at 1:30 p.m. No appearances are required on 6/16/20.

Party Information

Debtor(s):

Bradley Edward Barnes

Represented By
Susan I Montgomery

Defendant(s):

Bradley Edward Barnes

Pro Se

Allison Platz Barnes

Pro Se

Joint Debtor(s):

Allison Platz Barnes

Represented By
Susan I Montgomery

Plaintiff(s):

WVJP 2017-1, LP

Represented By
Joseph Chora

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

2:19-10246 Dean Henrik Okland
Adv#: 2:19-01102 Sunderland et al v. Okland

Chapter 11

#24.10 Cont'd status conference re: Complaint for: (1)-(3) exception to discharge of certain debts

**United States Bankruptcy Court
Central District of California
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Tuesday, June 16, 2020

Hearing Room 1675

1:30 PM

CONT...

Dean Henrik Okland

Chapter 11

[11 U.S.C. §§523(a)(2)(A),(4) and (6); (4)-(7) denial of discharge as to all debts [11 U.S.C. §§727(a)(2)-(5)]
fr. 2/4/20, 4/14/20, 6/2/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/12/20. No tentative ruling on the merits. The court and the parties will discuss setting a schedule of pretrial proceedings, including a discovery cutoff date, a post-discovery status conference date or a pretrial conference date. Appearances are required on 6/16/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Dean Henrik Okland

Represented By

Matthew D. Resnik

Roksana D. Moradi-Brovia

Defendant(s):

Dean Henrik Okland

Represented By

Roksana D. Moradi-Brovia

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, June 16, 2020

Hearing Room 1675

1:30 PM

CONT... Dean Henrik Okland

Chapter 11

Plaintiff(s):

Jennifer Sunderland

Represented By
Kimberly Wright

James Farrow

Represented By
Kimberly Wright

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, June 16, 2020

Hearing Room 1675

2:00 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

#25.00 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. 12/17/19, 4/23/20, 4/28/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/12/20. No tentative ruling on the merits. The court will discuss proceeding with the trial remotely by videoconferencing in light of the current pandemic and has issued an order describing proposed remote trial procedures for the trial. Appearances are required on 6/16/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 4/24/20. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the chief judge of the United States District Court for the Central District of California issued an Order of the Chief Judge No. 20-042, which among other things closes all

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2:00 PM

CONT... People Who Care Youth Center, Inc.

Chapter 11

courthouses of the Central District of California to the public, including the Roybal Federal Building, which closure has been extended through June 1, 2020 by announcement on April 13, 2020, and accordingly, the court cannot conduct an in person trial in the courtroom until at least June 1, 2020. Moreover, the County of Los Angeles and City of Los Angeles have issued public health orders prohibiting public and private gatherings in their jurisdictions until at least May 15, 2020, which are likely to be extended, which orders may apply to the trial. The court scheduled the status conference on 4/28/20 to discuss with the parties how a trial in the matter may be conducted and when possibly it can be scheduled. Given the current surge of coronavirus cases in the court and in the state and the need for appropriate social distancing, it would probably be prudent not to schedule so soon. In this court's view, a trial will not be scheduled earlier than 6/1/20. A court committee is being appointed to consider the conduct of video evidentiary hearings, but whether this is technically feasible and legally proper has not yet determined for this court yet.

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
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Tuesday, June 16, 2020

Hearing Room 1675

2:30 PM

2:13-16027 Luis Alberto Carrillo and Ana Lilia Carrillo

Chapter 7

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

Docket 66

Tentative Ruling:

Off calendar. In light of the lack of a timely written objection to the trustee's final report and fee application, the court determines that oral argument on the final report and fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written objection as consent to the approval of the final report and fee application pursuant to Local Bankruptcy Rule 9013-1(h), rules on the final report and fee application on the papers, and approves the final report and fee application of trustee for reasons stated in the final report and fee application and for lack of timely written objection. No appearances are required on 6/16/20. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Luis Alberto Carrillo

Represented By
Michael A Rivera - INACTIVE -

Joint Debtor(s):

Ana Lilia Carrillo

Represented By
Michael A Rivera - INACTIVE -

Trustee(s):

Rosendo Gonzalez (TR)

Represented By
Timothy J Yoo
Lindsey L Smith

2:13-16027 Luis Alberto Carrillo and Ana Lilia Carrillo

Chapter 7

**United States Bankruptcy Court
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Los Angeles
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Tuesday, June 16, 2020

Hearing Room 1675

2:30 PM

CONT... Luis Alberto Carrillo and Ana Lilia Carrillo

Chapter 7

#27.00 Hearing re: Application for fees and expenses
[Levene, Neale, Bender, Yoo & Brill L.L.P., Attorney for Chapter 7 Trustee]

Docket 63

Tentative Ruling:

Off calendar. In light of the lack of a timely written objection to the final fee application of attorney for trustee, the court determines that oral argument on the final fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written objection as consent to the approval of the final fee application pursuant to Local Bankruptcy Rule 9013-1(h), rules on the final fee application on the papers, and approves the final fee application of attorney for trustee for reasons stated in the final fee application and for lack of timely written objection. No appearances are required on 6/16/20. Trustee or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Luis Alberto Carrillo

Represented By
Michael A Rivera - INACTIVE -

Joint Debtor(s):

Ana Lilia Carrillo

Represented By
Michael A Rivera - INACTIVE -

Trustee(s):

Rosendo Gonzalez (TR)

Represented By
Timothy J Yoo
Lindsey L Smith

2:13-16027 Luis Alberto Carrillo and Ana Lilia Carrillo

Chapter 7

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Tuesday, June 16, 2020

Hearing Room 1675

2:30 PM

CONT... **Luis Alberto Carrillo and Ana Lilia Carrillo**
#28.00 Hearing re: Application for fees and expenses
 [SLBIGGS, Accountant for Chapter 7 Trustee]

Chapter 7

Docket 62

Tentative Ruling:

Off calendar. In light of the lack of a timely written objection to the final fee application of accountant for trustee, the court determines that oral argument on the final fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written objection as consent to the approval of the final fee application pursuant to Local Bankruptcy Rule 9013-1(h), rules on the final fee application on the papers, and approves the final fee application of attorney for trustee for reasons stated in the final fee application and for lack of timely written objection. No appearances are required on 6/16/20. Trustee or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Luis Alberto Carrillo

Represented By
Michael A Rivera - INACTIVE -

Joint Debtor(s):

Ana Lilia Carrillo

Represented By
Michael A Rivera - INACTIVE -

Trustee(s):

Rosendo Gonzalez (TR)

Represented By
Timothy J Yoo
Lindsey L Smith

2:13-26021 L Scott Apparel Inc. and Buchalter Nemer

Chapter 11

#29.00 Hearing re: Liquidating trustee's motion for order approving proposed compromise and

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Tuesday, June 16, 2020

Hearing Room 1675

2:30 PM

CONT...

L Scott Apparel Inc. and Buchalter Nemer

Chapter 11

settlement agreement between the liquidating trustee and Lowell Sharron and Beyond Basics, LLC

Docket 427

Tentative Ruling:

Having reviewed the moving papers and being thoroughly familiar with the circumstances of this litigation, having conducted the trial, the court agrees with the trustee that he has shown that the proposed settlement is fair and equitable and within his reasonable business judgment. The court would grant the motion on the merits for the reasons stated in the moving papers and for lack of timely written opposition, but for its present lack of jurisdiction over the matters to be settled which are currently on appeal before the Ninth Circuit. See *In re Adams Apple, Inc.*, 829 F.2d 1484, 1489 (9th Cir. 1987). When a bankruptcy court lacks jurisdiction to determine a motion due to a pending appeal, the court may issue an indicative ruling declaring how it would rule upon remand, which would be the basis for a motion to the appellate court for a limited remand for the court to rule on the merits of the motion. FRBP 8008. Thus, the court would grant the motion to the extent that it will issue an indicative ruling that it would grant the motion upon a limited remand by the Ninth Circuit.

Appearances are required on 6/16/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

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2:30 PM

CONT... L Scott Apparel Inc. and Buchalter Nemer

Chapter 11

Debtor(s):

L Scott Apparel Inc.

Represented By
David W Levene
Kurt Ramlo
Paul J Kurtzhall

2:13-26021 L Scott Apparel Inc.

Chapter 11

#29.10 Cont'd status conference re: Post confirmation of plan
fr. 12/4/19, 1/8/20, 6/10/20

Docket 140

Tentative Ruling:

Updated tentative ruling as of 6/12/20. No tentative ruling on the merits. The court will conduct the status conference in case that the United States Trustee or another party in interest has concerns regarding status. Appearances are required on 6/16/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 6/8/20. Off calendar. In light of the pending settlement between the liquidating trustee and parties to the pending

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2:30 PM

CONT... L Scott Apparel Inc.

Chapter 11

adversary proceeding, Lowell Sharron and Beyond Basics, LLC, which has an impact on the status of the case, the court on its own motion continues the status conference to 6/16/20 at 2:30 p.m. to be conducted with the hearing on the motion to approve the settlement. No appearances are required on 6/10/20.

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

2:17-17972 Sion Javaheri

Chapter 7

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

Docket 156

Tentative Ruling:

Off calendar. In light of the lack of a timely written objection to the trustee's final report and fee application, the court determines that oral argument on the final report and fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written objection as consent to the approval of the final report and fee application pursuant to Local Bankruptcy

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2:30 PM

CONT... Sion Javaheri

Chapter 7

Rule 9013-1(h), rules on the final report and fee application on the papers, and approves the final report and fee application of trustee for reasons stated in the final report and fee application and for lack of timely written objection. No appearances are required on 6/16/20. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Sion Javaheri

Represented By
Edmond Nassirzadeh
Michael S Kogan

Trustee(s):

Brad D Krasnoff (TR)

Represented By
Eric P Israel
Sonia Singh
George E Schulman

2:17-17972 Sion Javaheri

Chapter 7

#31.00 Hearing re: Application for fees and expenses
[Danning, Gill, Israel & Krasnoff, LLP, Attorney for Chapter 7 Trustee]

Docket 153

Tentative Ruling:

Off calendar. In light of the lack of a timely written objection to the final fee application of attorney for trustee, the court determines that oral argument on the final fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written objection as consent to the approval of the final fee application pursuant to Local Bankruptcy Rule 9013-1(h), rules on the final fee application on the papers, and approves the final fee

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2:30 PM

CONT... Sion Javaheri

Chapter 7

application of attorney for trustee for reasons stated in the final fee application and for lack of timely written objection. No appearances are required on 6/16/20. Trustee or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Sion Javaheri

Represented By
Edmond Nassirzadeh
Michael S Kogan

Trustee(s):

Brad D Krasnoff (TR)

Represented By
Eric P Israel
Sonia Singh
George E Schulman

2:19-15729 Eric John Kaesman

Chapter 7

#32.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Edward M. Wolkowitz, Chapter 7 Trustee]

Docket 60

Tentative Ruling:

Off calendar. In light of the lack of a timely written objection to the trustee's final report and fee application, the court determines that oral argument on the final report and fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written objection as consent to the approval of the final report and fee application pursuant to Local Bankruptcy Rule 9013-1(h), rules on the final report and fee application on the papers, and approves the final report and fee application of trustee for reasons stated

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2:30 PM

CONT... Eric John Kaesman Chapter 7
in the final report and fee application and for lack of timely written objection.
No appearances are required on 6/16/20. Trustee to submit a proposed
order within 7 days of hearing.

Party Information

Debtor(s):

Eric John Kaesman

Represented By
Stephen A Madoni
Maureen Strube

Trustee(s):

Edward M Wolkowitz (TR)

Represented By
Nancy H Zamora
Jeffrey L Sumpter

2:19-15729 Eric John Kaesman Chapter 7

#33.00 Hearing re: Application for fees and expenses
[Zamora & Hoffmeier, Attorney for Chapter 7 Trustee]

Docket 58

Tentative Ruling:

Off calendar. In light of the lack of a timely written objection to the final fee application of attorney for trustee, the court determines that oral argument on the final fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written objection as consent to the approval of the final fee application pursuant to Local Bankruptcy Rule 9013-1(h), rules on the final fee application on the papers, and approves the final fee application of attorney for trustee for reasons stated in the final fee application and for lack of timely written objection. No appearances are required on 6/16/20. Trustee or applicant to submit a proposed order within 7 days of hearing.

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2:30 PM

CONT... Eric John Kaesman

Chapter 7

Party Information

Debtor(s):

Eric John Kaesman

Represented By
Stephen A Madoni
Maureen Strube

Trustee(s):

Edward M Wolkowitz (TR)

Represented By
Nancy H Zamora
Jeffrey L Sumpter

2:19-20207 Sailfish Capital Partners, LLC

Chapter 7

#34.00 Hearing re: Motion for order approving compromise of controversy between Wesley H. Avery, Chapter 7 trustee, Southwest Guaranty Investors, LLC

Docket 30

Tentative Ruling:

Updated tentative ruling as of 6/12/20. No tentative ruling on the merits. Appearances are required on 6/16/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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2:30 PM

CONT... Sailfish Capital Partners, LLC

Chapter 7

Debtor(s):

Sailfish Capital Partners, LLC

Represented By
Leslie A Cohen

Trustee(s):

Wesley H Avery (TR)

Represented By
Alan I Nahmias

2:20-10131 Alex S Min

Chapter 7

#35.00 Hearing re: Motion for turnover of property and documents

Docket 26

Tentative Ruling:

Updated tentative ruling as of 6/12/20. No tentative ruling on the merits. The trustee should explain his efforts to communicate with debtor to negotiate turnover and his request for a three-day eviction, which seems unreasonably short to the court since there is no apparent necessity for such short notice. Appearances are required on 6/16/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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2:30 PM

CONT... Alex S Min

Chapter 7

Debtor(s):

Alex S Min

Represented By
Young K Chang

Trustee(s):

John P Pringle (TR)

Represented By
Toan B Chung

2:20-13835 Martin E Greenidge

Chapter 7

#36.00 Hearing re: Application to pay filing fee in installments

Docket 6

*** VACATED *** REASON: Granted per order entered on 4/27/20-mb.

Tentative Ruling:

Off calendar. Application granted by prior order. No appearances are required on 6/16/20.

Party Information

Debtor(s):

Martin E Greenidge

Pro Se

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

2:20-13892 Aura Mercedes Hernandez

Chapter 7

#37.00 Hearing re: Application to have the Chapter 7 filing fee waived

Docket 6

*** VACATED *** REASON: Granted per order entered on 4/27/20-mb.

Tentative Ruling:

Off calendar. Application granted by prior order. No appearances are

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2:30 PM

CONT... Aura Mercedes Hernandez
required on 6/16/20.

Chapter 7

Party Information

Debtor(s):

Aura Mercedes Hernandez Pro Se

Trustee(s):

Elissa Miller (TR) Pro Se

**United States Bankruptcy Court
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Tuesday, June 23, 2020

Hearing Room 1675

11:00 AM

2:17-21018 Prototype Engineering & Manufacturing, Inc.

Chapter 7

#1.00 Cont'd hearing re: Stipulation to modify automatic stay to permit crash victim claimants to liquidate claims against the estate
fr. 6/2/20

Docket 106

Tentative Ruling:

Updated tentative ruling as of 6/19/20.

Grant motion to approve stipulation to modify automatic stay to allow claimants to liquidate claims against the bankruptcy estate in pending district court lawsuit.

Although the parties have cited to and discussed the factors for granting stay relief for cause under 11 U.S.C. 362(d)(1) in *In re Curtis*, 40 B.R. 795, 805 (Bankr. D. Utah 1984), which factors have been cited with approval in an unpublished decision of the Ninth Circuit Bankruptcy Appellate Panel in *In re Advanced Medical Spa Inc.*, BAP No. EC-16-1087-KuMaJu, 2016 WL 6958130 (9th Cir. BAP 2016), the court finds more instructive the factors and holding in the Ninth Circuit's opinion in *In re Tucson Estates, Inc.*, 912 F.2d 1162, 1166-1167 (9th Cir. 1990). The court believes that *Tucson Estates* is more on point because in essence this is a situation where the court is being asked to abstain and grant stay relief for another tribunal to adjudicate and liquidate a claim against the estate. In this case, claimants seek to proceed with their lawsuit against the debtor and other parties based on state law claims. This lawsuit is pending in the district court, but stayed by the automatic stay arising in this bankruptcy case.

Cause is shown under 11 U.S.C. 362(d)(1) because claimants have a colorable argument to assert a claim in a nonbankruptcy forum, though the court does not rule on the merits on any such claim as that determination is left for the other forum. See *In re Griffin*, 719 F.3d 1126, 1128 (9th Cir. 2013). As the court has said at prior hearings in this case, the court lacks jurisdiction to try and liquidate the personal injury and wrongful death claims asserted by claimants because 28 U.S.C. 157(b)(5) provides that the district court must try such claims. Cause for

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11:00 AM

CONT... Prototype Engineering & Manufacturing, Inc.

Chapter 7

stay relief is shown to effectuate this jurisdictional command.

In Tucson Estates, the Ninth Circuit has set forth factors to consider whether this court should abstain and lift stay for litigation in a nonbankruptcy forum, which the court now analyzes. The factors include: (1) the effect or lack thereof on the efficient administration of the estate if a Court recommends abstention (this factor favors abstention/stay relief because the claims have to be tried and liquidated by the district court as this court lacks the authority to do so), (2) the extent to which state law issues predominate over bankruptcy issues (this factor favors abstention/stay relief because the claims solely involve state law issues), (3) the difficulty or unsettled nature of the applicable law (this factor is neutral because it does not appear that applicable law governing the claims are difficult or unsettled) (4) the presence of a related proceeding commenced in state court or other nonbankruptcy court (this factor favors abstention/stay relief because a related proceeding commenced in a nonbankruptcy court exists, i.e., the district court), (5) the jurisdictional basis, if any, other than 28 U.S.C. § 1334 (this factor favors abstention/stay relief because the court's jurisdiction regarding the lawsuit would only be "related to" jurisdiction under 28 U.S.C. 1334), (6) the degree of relatedness or remoteness of the proceeding to the main bankruptcy case (this factor favors abstention/stay relief because the determination of the claims is remote to the main bankruptcy case), (7) the substance rather than form of an asserted "core" proceeding (this factor favors abstention/stay relief because the claims are all noncore proceedings), (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 favors abstention/stay relief because severance is not possible because the court lacks jurisdiction to try and liquidate the claims), (9) the burden of [the bankruptcy court's] docket (this factor favors abstention/stay relief because the litigation of the claims will involve significant litigation resources requiring expert scientific testimony due to complex factual nature of the claims), (10) the likelihood that the commencement of the proceeding in bankruptcy court involves forum shopping by one of the parties (this factor favors abstention/stay relief because it appears that the nonbankruptcy litigation was proceeding to trial before the debtor's insiders put it into bankruptcy), (11) the existence of a right to a jury trial (this factor favors abstention/stay relief because the parties have a right to jury trial on

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11:00 AM

CONT... Prototype Engineering & Manufacturing, Inc. Chapter 7

the claims), and (12) the presence in the proceeding of nondebtor parties (this factor favors abstention/stay relief because there are other defendants in the district court lawsuit). In re Tucson Estates, Inc., 912 F.2d at 1166-1167.

It is perhaps encouraging that the objecting party, Barry Bordbar, states that defendants in the related adversary proceeding have a "renewed willingness" to settle the claims. The court would consider a referral of the adversary proceeding to the court's voluntary mediation program, though not in lieu of a ruling granting the motion to approve the stipulation for stay relief.

Appearances are required on 6/23/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling. The court having granted the ex parte motion for continuance, the hearing on the stipulation is continued to 6/23/20 at 11:00 a.m. No appearances are required on 6/2/20.

Party Information

Debtor(s):

Prototype Engineering &

Represented By
Carol Chow

Movant(s):

Wesley H Avery (TR)

Represented By
Timothy J Yoo
Carmela Pagay
Lindsey L Smith

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Hearing Room 1675

11:00 AM

CONT... Prototype Engineering & Manufacturing, Inc. Chapter 7

Irving M Gross

Jon Ternstrom

Represented By
Todd E Phillips

Colette Borom-Carpenter

Represented By
Todd E Phillips

Michelle Witzler

Represented By
Todd E Phillips

Cameron Witzler

Represented By
Todd E Phillips

Maria Ternstrom

Represented By
Todd E Phillips

Trustee(s):

Wesley H Avery (TR)

Represented By
Timothy J Yoo
Carmela Pagay
Lindsey L Smith
Irving M Gross

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

Tuesday, June 23, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01248 Goodrich v. Blue District Distributors, LLC

#2.00 Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542 fr. 2/18/20, 4/14/20, 5/12/20

Docket 1

***** VACATED *** REASON: Dismissed per stip & order entered on 6/17/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 6/19/20. Off calendar. The status conference is moot because the adversary proceeding has been voluntarily dismissed by stipulation and order. No appearances are required on 6/23/20.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Blue District Distributors, LLC

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

**United States Bankruptcy Court
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1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01249 Goodrich v. Capital One Business Credit Corporation

#3.00 Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542 fr. 1/14/20, 3/10/20, 5/12/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/19/20. Off calendar. The status conference is moot because the adversary proceeding has been voluntarily dismissed by stipulation and order. No appearances are required on 6/23/20.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Capital One Business Credit

Pro Se

Plaintiff(s):

David M Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, June 23, 2020

Hearing Room 1675

1:30 PM

2:19-13181 Serapio Venegas

Chapter 7

Adv#: 2:20-01106 Brad D. Krasnoff, Chapter 7 Trustee v. Venegas

#4.00 Status conference re: Trustee complaint for denial of debtor's discharge pursuant to U.S.C. Section 727

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/19/20. Off calendar. The court has reviewed plaintiff's unilateral status report stating that default has been entered against defendant, that plaintiff will be preparing and filing a motion for default judgment in the next 30 to 45 days and that plaintiff requests a continuance of the status conference of not less than 60 days to allow time for the motion to be considered the court. In light of these circumstances, the court on its own continues the status conference to 9/8/20 at 1:30 p.m. No appearances are required on 6/23/20.

Party Information

Debtor(s):

Serapio Venegas	Pro Se
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Defendant(s):

Serapio Venegas	Pro Se
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Plaintiff(s):

Brad D. Krasnoff, Chapter 7 Trustee	Represented By Sonia Singh
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Trustee(s):

Brad D Krasnoff (TR)	Represented By Eric P Israel Sonia Singh
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Tuesday, June 23, 2020

Hearing Room 1675

1:30 PM

2:19-24594 John Michael Butcher

Chapter 7

Adv#: 2:20-01049 Neptune Fire Protection, Inc. v. Butcher et al

#5.00 Order to show cause why sanctions should not be imposed against plaintiff Neptune Fire Protection, Inc., and its attorney, Robert G. Klein, for failure to appear at status conference and to file status report

Docket 5

Tentative Ruling:

Having considered the declaration in response to the order to show cause, the court will discharge the order to show cause. No appearances are required on the order to show cause on 6/23/20.

Party Information

Debtor(s):

John Michael Butcher

Represented By
Dean G Rallis Jr
Matthew D Pham

Defendant(s):

John Michael Butcher

Pro Se

Karen Payne Butcher

Pro Se

Joint Debtor(s):

Karen Payne Butcher

Represented By
Dean G Rallis Jr
Matthew D Pham

Plaintiff(s):

Neptune Fire Protection, Inc.

Represented By
Robert G Klein

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

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1:30 PM

2:19-24594 John Michael Butcher

Chapter 7

Adv#: 2:20-01049 Neptune Fire Protection, Inc. v. Butcher et al

#6.00 Cont'd status conference re: Complaint to determine nondischargeability of debt fr. 5/5/20

Docket 1

Tentative Ruling:

The court will inquire whether the parties have fully complied with the meet and confer requirement of LBR 7026-1. Set a discovery cutoff date of 10/31/20 and a post-discovery status conference on 11/10/20 at 1:30 p.m. The court does not set the matter for a pretrial conference at this time in light of the current uncertainty from the COVID-19 pandemic when the court will be conducting in person trials. At the postdiscovery status conference, the court discuss with counsel the possibility of conducting the trial remotely by videoconference technology. The court will also discuss the possibility of referral to the court's voluntary mediation program. Appearances are required on 6/23/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling. The court notes that plaintiff has not filed a status report as required by the court's order scheduling initial status conference. Appearances are required on 5/5/20 to address why monetary sanctions of \$100 should not be imposed against counsel for plaintiff for failure to file a unilateral status report, but counsel and self-represented parties must appear by telephone. Due to the

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CONT...

John Michael Butcher

Chapter 7

public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, incl

Party Information

Debtor(s):

John Michael Butcher

Represented By
Dean G Rallis Jr

Defendant(s):

John Michael Butcher

Pro Se

Karen Payne Butcher

Pro Se

Joint Debtor(s):

Karen Payne Butcher

Represented By
Dean G Rallis Jr

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CONT... John Michael Butcher

Chapter 7

Plaintiff(s):

Neptune Fire Protection, Inc.

Represented By
Robert G Klein

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

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Tuesday, June 23, 2020

Hearing Room 1675

2:00 PM

2:18-17205 Avi Cohen

Chapter 7

Adv#: 2:18-01296 Swift Financial, LLC fka Swift Financial Corporati v. Cohen

- #7.00** Cont'd pretrial 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) fr. 1/28/20, 3/16/20, 4/28/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/19/20. The court has reviewed plaintiff's unilateral pretrial statement and supporting declaration. No tentative ruling on the merits. The court will discuss proceeding with the evidentiary hearing remotely by videoconferencing in light of the current pandemic and has issued an order describing proposed remote trial procedures for the hearing. Appearances are required on 6/23/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 4/24/20. Off calendar. Continued by stipulation and order to 6/23/20 at 2:00 p.m. No appearances are required on 4/28/20.

Prior tentative ruling as of 3/18/20. Off calendar. Continued by stipulation and

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CONT...

Avi Cohen

Chapter 7

order to 4/28/20 at 2:00 p.m. No appearances are required on 3/24/20.

Prior tentative ruling as of 9/16/19. The court has reviewed the joint status report. Set a pretrial conference for 1/28/20 at 2:00 p.m. and a deadline of 1/21/20 for filing a joint pretrial stipulation. Appearances are required on 9/17/19.

Prior tentative ruling as of 6/10/19. Off calendar. The court has reviewed plaintiff's interim status report stating that the alternate mediator would be able to complete a mediation in mid-June and requested a continuance of 30 days. The court on its own motion continues the status conference to 6/25/19 at 1:30 p.m. No appearances are required on 6/11/19. Plaintiff to give notice of continuance to defendant.

Prior 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
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2:00 PM

2:19-15184 Edmond Zarookian

Chapter 7

- #7.10** Telephonic pretrial conference re: United States Trustee's motion to dismiss chapter 7 case with a refiling bar pursuant to 11 U.S.C. §707(b)(3)(A), or, in the alternative, to further extend time to file a complaint under §727 fr. 3/3/20, 4/3/20, 5/8/20

Docket 38

Tentative Ruling:

Updated tentative ruling as of 6/19/20. No tentative ruling on the merits. The court will discuss proceeding with the evidentiary hearing remotely by videoconferencing in light of the current pandemic and has issued an order describing proposed remote trial procedures for the hearing. Appearances are required on 6/23/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 4/10/20. Off calendar. Continued by stipulation and order to 6/25/20 at 10:00 a.m. No appearances are required on 5/8/20.

Prior tentative ruling as of 3/20/20. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through

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Edmond Zarookian

Chapter 7

social distancing, on March 19, 2020, the chief judge of the United States District Court for the Central District of California issued an Order of the Chief Judge No. 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion must and does vacate the evidentiary hearing for the contested matter of the motion of United States Trustee to dismiss this bankruptcy case with a one-year refiling bar scheduled for April 3, 2020 at 10:00 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012 because in person appearances are not permitted in the courthouse on that date. No appearances are required on April 3, 2020 at 10:00 a.m. as the evidentiary hearing on that date is vacated. Based on the stipulation of the parties, the court has issued an order approving the stipulation and continued the evidentiary hearing to May 8, 2020 at 10:00 a.m.

Prior tentative ruling. Treat the motion of United States Trustee to dismiss with a one year refiling bar on grounds of debtor's bad faith as a contested matter under FRBP 9014 since assessment of debtor's good or bad faith is dependent on credibility determinations of debtor's testimony in his declaration and the supporting evidence of the United States Trustee, or alternatively, deny the motion to dismiss without prejudice, and allow United States Trustee an extension of 60 days from the date of the hearing to file a complaint to deny discharge under 11 U.S.C. 727 for cause shown under FRBP 4004(b) in that the United States Trustee has diligently pursued his investigation of possible actions against debtor before the deadline of 1/6/20 and timely filed the motion to extend as shown by his office's examination of debtor at the 11 U.S.C. 341(a) meetings of creditors on 6/4/19, 9/24/19 and 10/21/19 as well as extensive forensic examination of debtor's credit card transactions and elected to seek dismissal first rather than filing an adversary proceeding to deny discharge, which would have been moot if the dismissal had been granted, and that a short extension of time of 60 days for the preparation of a complaint to deny discharge would not prejudice debtor or unduly delay the administration of this case. *In re Jahangiri*, No. 18-31609-dwh7, 2018 WL 5255216 (Bankr. D. Or. 2018) (collecting cases). Appearances are required on 3/3/20, but counsel may appear by telephone.

Party Information

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CONT... Edmond Zarookian

Chapter 7

Debtor(s):

Edmond Zarookian

Represented By
Sevan Gorginian

Trustee(s):

Jason M Rund (TR)

Pro Se

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2:30 PM

2:18-15448 Johnny Chun Choi and Tae Yi Choi

Chapter 7

#8.00 Hearing re: Application for payment of final fees and/or expenses for Law Offices of Peter K. Chu (11 U.S.C. § 330)

Docket 49

Tentative Ruling:

Off calendar. In light of the lack of a timely written objection to the final fee application of special litigation counsel for trustee, the court determines that oral argument on the final fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court deems the lack of filing and service of a timely written objection as consent to the approval of the final fee application pursuant to Local Bankruptcy Rule 9013-1(h), rules on the final fee application on the papers, and approves the final fee application of attorney for trustee for reasons stated in the final fee application and for lack of timely written objection. No appearances are required on 6/23/20. Trustee or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Johnny Chun Choi

Represented By
Desiree Meguerditchian

Joint Debtor(s):

Tae Yi Choi

Represented By
Desiree Meguerditchian

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

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2:30 PM

2:16-15692 Rama Krishna Chaparala

Chapter 7

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

#9.00 Telephonic status conference on plaintiff's proposed "findings of fact and conclusion of law" and proposed judgment, lodged on May 14, 2020

Docket 56

Tentative Ruling:

The court will discuss with counsel the concerns raised in the order setting telephonic status conference. Appearances are required on 6/23/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Rama Krishna Chaparala

Represented By
Jeffrey N Wishman
Leon D Bayer

Defendant(s):

Rama Krishna Chaparala

Represented By
Peter T Steinberg

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CONT... Rama Krishna Chaparala

Chapter 7

Plaintiff(s):

All In One Trading, Inc., a California

Represented By

Michael Fischer

Anthony J Napolitano

Trustee(s):

Howard M Ehrenberg (TR)

Represented By

Anthony J Napolitano

Michael Fischer

Michael Fischer

**United States Bankruptcy Court
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Wednesday, June 24, 2020

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.

#1.00 Hearing re: Motion To Establish Protocols To Safely, Fairly And Efficiently Conduct Depositions As A Result Of Covid-19

Docket 735

Tentative Ruling:

While movant properly noticed the motion for hearing on the court's 11:00 a.m. calendar, in the interests of judicial economy and convenience to the court and the parties, the court will conduct the hearing on this motion on its 1:30 p.m. calendar with the status conference in this adversary proceeding. Appearances are required at 1:30 p.m., not at 11:00 a.m., and the parties should appear telephonically.

The court has reviewed the moving and opposing papers and acknowledges that both sides have raised valid concerns, but none of the authorities cited by them are conclusive. The court does not rule out either in person or remote depositions at this time. The information provided by the 400 South La Brea defendants indicates that in person depositions could now be undertaken (i.e., the material from First Legal Depositions). Depositions could also be conducted remotely by telephone or videoconference as generally recognized by Federal Rule of Civil Procedure 30(b)(4). The parties should be prepared to discuss their proposed schedules for taking specific depositions, and the court and the parties can discuss an appropriate schedule based on the parties' preferences and conditions rather than in the abstract. The following is a discussion of remote depositions in a treatise which fairly and accurately reflects the current state of the law and practice regarding remote depositions, which may be helpful to the parties in their considerations of remote depositions.

1 Gensler and Mulligan, Federal Rules of Civil Procedure, Rules and Commentary (online edition, February 2020) (accessed on Westlaw) : **Text**

Telephonic/videoconference depositions. Rule 30(b)(4) allows for the taking of a deposition via telephone, satellite television, videoconferencing, or

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other remote electronic means. 111 This can happen either by stipulation of the parties or if the court so orders. Oftentimes the request to take the deposition by remote means is made by the party that is noticing the deposition in order to avoid travel cost to where the witness is located. But the request can also be made by the party to be deposed in order to avoid travel cost to the place where the deposition has been noticed. The provisions of Rule 30(b)(4) do not indicate what showing must be made for the court to order that a deposition be taken by remote means. As a general matter, courts seem to require some showing of good cause. 112 They consider the reasons given for wanting to proceed by remote means and balance the advantages and disadvantages of doing so. Courts may place the burden of showing good cause on different persons depending on the context in which the matter is presented to the court. In cases where the party noticing the deposition seeks permission to take it by remote means, directly invoking Rule 30(b)(4), some courts have indicated that if the moving party has a legitimate reason for conducting the deposition by remote means, then the opposing party bears the burden of showing good cause why the deposition should not be conducted in that manner. 113 In contrast, in cases where it is the witness who seeks to be deposed by remote means to avoid traveling to the location designated in the deposition notice, and raises the question in the context of a Rule 26(c) motion for protective order, the court may view the method of deposition (not just the location) as being part of the Rule 26(c) motion and require the moving party to show good cause for the protection requested. 114 In the end, the question of who bears the burden probably does not much matter. The strong sense of the case law is that requests for leave to take a deposition via remote transmission should be and are freely granted when doing so makes sense and will not cause any real prejudice. In years past, parties often objected to telephonic depositions on the grounds that they could not observe the demeanor of the witness or see whether the witness was being coached by counsel. Also, parties sometimes opposed telephonic depositions if there were a large number of documents to be shown to the witness on the grounds that it would be too hard to keep track of the exhibits. While the courts took those factors into account, they did not view them as constituting automatic grounds for denying leave to take a telephonic deposition. 115 Today, when lawyers express concern about not

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being able to see the witness (or others in the room) judges often respond by pointing out that the deposition can be conducted by videoconference. 116

Footnotes:

111 Fed. R. Civ. P. 30(b)(4)& advisory committee's note (1993).

112 See Webb v. Green Tree Servicing LLC, 283 F.R.D. 276, 279 (D. Md. 2012); Shockey v. Huhtamaki, Inc., 280 F.R.D. 598, 602 (D. Kan. 2012); Estate of Gerasimenko v. Cape Wind Trading Co., 272 F.R.D. 385, 387-91, 79 Fed. R. Serv. 3d 272 (S.D. N.Y. 2011); Brown v. Carr, 253 F.R.D. 410, 412 (S.D. Tex. 2008); Zito v. Leasecomm Corp., 233 F.R.D. 395, 397-98, 63 Fed. R. Serv. 3d 1261 (S.D. N.Y. 2006); Loughin v. Occidental Chem. Corp., 234 F.R.D. 75, 76, 64 Fed. R. Serv. 3d 1 (E.D. Pa. 2005).

113 See Carrico v. Samsung Electronics Co., Ltd., 2016 WL 1265854, *1-2 (N.D. Cal. 2016); Brown v. Carr, 253 F.R.D. 410, 412 (S.D. Tex. 2008); Brown v. Carr, 236 F.R.D. 311, 312 (S.D. Tex. 2006); Loughin v. Occidental Chem. Corp., 234 F.R.D. 75, 76, 64 Fed. R. Serv. 3d 1 (E.D. Pa. 2005).

114 See Republic of Turkey v. Christie's, Inc., 326 F.R.D. 402, 406, 101 Fed. R. Serv. 3d 1282 (S.D. N.Y. 2018); Shockey v. Huhtamaki, Inc., 280 F.R.D. 598, 602 (D. Kan. 2012).

115 See McArthur v. Rock Woodfired Pizza & Spirits, 318 F.R.D. 136, 139 (W.D. Wash. 2016) (noting disadvantages but requiring party to either travel to where the witness lived or take deposition by telephone); Webb v. Green Tree Servicing LLC, 283 F.R.D. 276, 280 (D. Md. 2012) (finding this factor very important where it was the plaintiff seeking to be deposed by telephone and the defendant would lose the ability to observe the plaintiff's demeanor and expression); Estate of Gerasimenko v. Cape Wind Trading Co., 272 F.R.D. 385, 389 (S.D. N.Y. 2011); Loughin v. Occidental Chem. Corp., 234 F.R.D. 75, 77, 64 Fed. R. Serv. 3d 1 (E.D. Pa. 2005).

116 See Kean v. Board of Trustees of the Three Rivers Regional Library System, 321 F.R.D. 448, 451- 52 (S.D. Ga. 2017) (noting how video technology and document-sharing software largely address the concerns

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

previously voiced about telephonic depositions); Securities and Exchange Commission v. Aly, 320 F.R.D. 116, 119, 97 Fed. R. Serv. 3d 413 (S.D. N.Y. 2017) (also rejecting argument that coordination of documents will be too difficult); United States v. One Gulfstream G-V Jet Aircraft Displaying Tail Number VPCES, 304 F.R.D. 10, 17-18, 88 Fed. R. Serv. 3d 1247 (D.D.C. 2014) (acknowledging disadvantages of telephonic depositions but stating that "modern videoconference technology will allow [the party taking the deposition] to observe [the witness] and ask follow-up questions"); Shockey v. Huhtamaki, Inc., 280 F.R.D. 598, 602 (D. Kan. 2012) ("Taking the depositions via videoconferencing addresses Defendant's objection that the deponent's nonverbal responses and demeanor cannot be observed."). Of course, someone might then raise the concern that a video feed focused only on the witness might fail to capture misconduct appearing offscreen, such as a lawyer standing behind the camera and quickly jotting down hints to the witness onto a handheld whiteboard. Perhaps that might call for a secondary video feed showing what was happening in the rest of the room. Or perhaps judges can (and should) rely on the integrity and ethics of lawyers and reject these types of arguments unless there is a clear reason to think there is a significant risk that this type of misbehavior will occur.

Party Information

Debtor(s):

Art and Architecture Books of the

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

Defendant(s):

Douglas Christmas

Represented By
Alan W Forsley

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, June 24, 2020

Hearing Room 1675

11:00 AM

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 Ronald Rus Fahim Farivar Brian L Davidoff Keith Patrick Banner
Jennifer Kellen	Represented By J. Bennett Friedman
Michael D. Smith	Represented By Brian L Davidoff
Kamran Gharibian	Represented By Brian L Davidoff
Daryoush Dayan	Represented By Brian L Davidoff
Cathay Bank, a California	Represented By Ekwan E Rhow Elliot C Harvey Schatmeier
Jennifer Kellen	Represented By Michael D Sobkowiak
Ace Gallery New York Corporation,	Represented By Alan W Forsley

Plaintiff(s):

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

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CONT...

Art and Architecture Books of the 21st Century

Chapter 11

Victor A Sahn
Carolyn A Dye
David J Richardson
Jason Balitzer
Steven Thomas
Stephen Sorensen

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
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Wednesday, June 24, 2020

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#2.00 Cont'd status conference re: Management of chapter 11 case
fr. 10/16/19, 2/19/20, 4/26/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/22/20. No tentative ruling on the merits. Appearances are required on 6/24/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 4/27/20. No tentative ruling on the merits. Appearances are required on 4/29/20 to discuss status of this case, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Prior tentative ruling as of 2/18/20. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 2/19/20, 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 10/15/19. No tentative ruling on the merits. Appearances are required on 10/16/19, 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 6/24/19. No tentative ruling on the merits. Appearances are required on 6/26/19, 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
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Wednesday, June 24, 2020

Hearing Room 1675

11:00 AM

2:16-26583 Dalton Evonne Grant

Chapter 11

#3.00 Hearing re: Application for payment of final fees and/or expenses for David Brownstein, debtor's attorney

Docket 125

Tentative Ruling:

The application lacks the required declaration of client having no objection or a declaration from counsel describing his attempts to obtain such consent pursuant to LBR 2016-1(a)(J) and 2(b). The court is otherwise inclined to approve the final fee application for the reasons stated in the application and for lack of timely written objection. Appearances are required on 6/24/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Dalton Evonne Grant

Represented By
David I Brownstein

**United States Bankruptcy Court
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Wednesday, June 24, 2020

Hearing Room 1675

11:00 AM

2:16-26583 Dalton Evonne Grant

Chapter 11

#4.00 Cont'd status conference re: Post confirmation of plan
fr. 10/2/19, 2/19/20, 6/3/20

Docket 68

Tentative Ruling:

Updated tentative ruling as of 6/22/20. No tentative ruling on the merits. Although not on calendar, debtor has filed a motion for entry of final decree which has been filed and served on creditors, and the time for any objection and request for hearing has not yet passed. In the motion for final decree, debtor stated that it expects to resolve an issue regarding the second trust deed. At the status conference, debtor should address the status of this issue which indicates a plan default.

Appearances are required on 6/24/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 5/28/20. No tentative ruling on the merits. Appearances are required on 6/3/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed

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11:00 AM

CONT... Dalton Evonne Grant

Chapter 11

to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Dalton Evonne Grant

Represented By
David I Brownstein

**United States Bankruptcy Court
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Wednesday, June 24, 2020

Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#5.00 Cont'd hearing re: Motion for order approving disclosure statement describing chapter 11 plan of reorganization
fr. 4/15/20, 4/29/20

Docket 257

***** VACATED *** REASON: Cont'd from 6/24/20 to 8/5/20 at 2:00 p.m.
per order entered on 6/5/20-pp.**

Tentative Ruling:

Updated tentative ruling as of 6/22/20. Off calendar. Continued to 8/5/20 at 2:00 p.m. by prior order. No appearances are required on 6/24/20.

Prior tentative ruling as of 4/27/20. No tentative ruling on the merits. Appearances are required on 4/29/20 to discuss the status of this matter, including whether debtor will be filing an amended disclosure statement in light of the current public health emergency, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Giovanni Orantes
Luis A Solorzano

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Wednesday, June 24, 2020

Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#6.00 Cont'd hearing re: Fourth interim application for compensation and reimbursement of expenses of Michael Jay Berger, Period: 6/27/2019 to 11/30/2019, Fee: \$28,214.50, Expenses: \$715.30
fr. 2/5/20, 4/15/20, 4/29/20

Docket 215

Tentative Ruling:

Updated tentative ruling as of 6/22/20. Off calendar. Having reviewed applicant's supplemental declaration, which the court finds very helpful, the court determines that further oral argument is not necessary, dispenses with it, takes the application under submission, vacates the hearing and takes the application under submission. A written ruling will be issued shortly. No appearances are required on 6/24/20.

Prior tentative ruling as of 4/27/20. No tentative ruling on the merits. Appearances are required on 4/29/20 to discuss the status of this matter, including whether debtor will be filing a formal objection to the application, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 4/13/20. Off calendar. The court on its own motion continues the hearing on this matter to 4/29/20 at 11:00 a.m. to be heard with the hearing on debtor's disclosure statement. No appearances are required on 4/15/20.

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11:00 AM

CONT... Charles Peters

Chapter 11

Prior tentative ruling. No tentative ruling on the merits in light of objections to the interim fee application by debtor and creditor James Regan. The court is inclined to defer a ruling on the interim fee application until fee applications of estate professionals are considered on a final basis pursuant to LBR 2016-1(c)(3) and because the estate lacks funds to pay the interim fee application at this time. It seems to the court that it is a better use of litigation resources to litigate the fee application of applicant on a final fee when the case is ready for disposition through the plan confirmation process. Appearances are required on 2/5/20, but counsel and applicant may appear by telephone.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Michael Jay Berger

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Wednesday, June 24, 2020

Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#7.00 Cont'd status conference re: Management of chapter 11 case
fr. 2/5/20, 4/15/20, 4/29/20

Docket 1

***** VACATED *** REASON: Cont'd from 6/24/20 to 8/5/20 at 2:00 p.m.
per order entered on 6/5/20-pp.**

Tentative Ruling:

Updated tentative ruling as of 6/22/20. Off calendar. Continued to 8/5/20 at 2:00 p.m. by prior order. No appearances are required on 6/24/20.

Prior tentative ruling as of 4/27/20. No tentative ruling on the merits. Appearances are required on 4/29/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 4/13/20. Off calendar. The court on its own motion continues the hearing on this matter to 4/29/20 at 11:00 a.m. to be heard with the hearing on debtor's disclosure statement. No appearances are required on 4/15/20.

Prior tentative ruling as of 2/3/20. No tentative ruling on the merits. At least, new proposed counsel for debtor should appear and discuss how debtor plans to proceed with the case. Appearances are required on 2/5/20, but counsel may appear by telephone.

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11:00 AM

CONT... Charles Peters

Chapter 11

Prior tentative ruling as of 9/30/19. No tentative ruling on the merits. Appearances are required on 10/2/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 6/26/19, but counsel may appear by telephone.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Giovanni Orantes
Luis A Solorzano

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Wednesday, June 24, 2020

Hearing Room 1675

11:30 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#8.00 Cont'd hearing re: Motion to dismiss case for under 11 U.S.C. § 1112(B)
fr. 4/15/20, 5/13/20, 5/27/20

Docket 123

Tentative Ruling:

Updated tentative ruling as of 6/22/20. No tentative ruling on the merits. Appearances are required on 6/24/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 5/22/20. No updated tentative ruling in light of the settlement between debtor and creditor Acon regarding debtor's objection to Acon's secured claim. Appearances are required on 5/27/20 by telephone in accordance with the procedures set forth in the tentative ruling of 5/11/20 below.

Prior supplemental tentative ruling as of 5/12/20. The following updates and supplements the tentative ruling posted on 5/11/20: Deny motion to dismiss on grounds under 11 U.S.C. 1112(b)(4)(A) or (B) for the reasons stated in debtor's written opposition because the record does not demonstrate substantial or continuing loss to the estate and the absence of a reasonable likelihood of rehabilitation or gross mismanagement of the estate as debtor has acted in good faith in diligently negotiating a plan of reorganization with its

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CONT... People Who Care Youth Center, Inc.

Chapter 11

creditors, including movant, to pay claims through refinancing the existing loan on its principal asset, its real estate, to resolve claim disputes through negotiating plan treatment or contested litigation and to reorganize its business by adopting a new business plan.

Updated tentative ruling as of 5/11/20. No tentative ruling on the merits. Appearances are required on 5/13/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

People Who Care Youth Center, Inc.

Represented By
John-Patrick M Fritz
David B Golubchik

**United States Bankruptcy Court
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Wednesday, June 24, 2020

Hearing Room 1675

11:30 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#9.00 Cont'd hearing re: Motion for order authorizing use of cash collateral and providing adequate protection pursuant to sections 361 and 363 of the bankruptcy code fr. 4/15/20, 5/13/20, 5/27/20

Docket 125

Tentative Ruling:

Updated tentative ruling as of 6/22/20. No tentative ruling on the merits. Appearances are required on 6/24/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 5/22/20. No updated tentative ruling in light of the pending plan confirmation hearing in this case. Appearances are required on 5/27/20 by telephone in accordance with the procedures set forth in the tentative ruling of 5/11/20 below.

Prior supplemental tentative ruling as of 5/12/20. The following updates and supplements the tentative ruling posted on 5/11/20: Authorize extension of use of cash collateral for a limited period of time in order for debtor to continue its good faith efforts to propose and confirm a plan of reorganization as the parties which have an interest in cash collateral are adequately protected by a sufficient equity cushion in debtor's real property. The court will discuss with debtor and the parties the time needed to litigate pending matters so that the

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11:30 AM

CONT... **People Who Care Youth Center, Inc.**
hearing on plan confirmation can proceed.

Chapter 11

Updated tentative ruling as of 5/11/20. No tentative ruling on the merits. Appearances are required on 5/13/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

People Who Care Youth Center, Inc.

Represented By
John-Patrick M Fritz
David B Golubchik

**United States Bankruptcy Court
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Wednesday, June 24, 2020

Hearing Room 1675

11:30 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#10.00 Status conference re: Post confirmation of plan
fr. 4/15/20, 5/13/20, 5/27/20

Docket 119

Tentative Ruling:

Updated tentative ruling as of 6/22/20. No tentative ruling on the merits. Appearances are required on 6/24/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 5/22/20. No updated tentative ruling in light of the settlement between debtor and creditor Acon regarding debtor's objection to Acon's secured claim, which will require a modification of the proposed reorganization plan either by a motion to approve compromise under FRBP 9019 or a plan supplement. Appearances are required on 5/27/20 by telephone in accordance with the procedures set forth in the tentative ruling of 5/11/20 below.

Updated and supplemental tentative ruling as of 5/12/20. The following updates and supplements the tentative ruling posted on 5/11/20: In light of debtor's second statement regarding exit financing in connection with its Chapter 11 plan, filed on 5/12/20, the hearing on plan confirmation should be continued for a short period of time in order for debtor to negotiate with the City of Los Angeles regarding the lien subordination cap in an amount that

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CONT... People Who Care Youth Center, Inc.

Chapter 11

would allow plan confirmation and the exit financing with the replacement lender to go forward. The court will discuss with debtor and the parties the time needed for this purpose.

Updated tentative ruling as of 5/11/20. No tentative ruling on the merits. Appearances are required on 5/13/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 4/13/20. No tentative ruling on the merits. Plan confirmation appears to be a contested matter under FRBP 9014 since there is a dispute over feasibility of the plan based on creditor Acon's objection and its related motion to dismiss as well as debtor's objection to Acon's amended claim. It seems that the court should set a schedule of pretrial proceedings for litigation of these related contested matters.

Appearances are required on 4/15/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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11:30 AM

CONT... People Who Care Youth Center, Inc.

Chapter 11

Party Information

Debtor(s):

People Who Care Youth Center, Inc.

Represented By
John-Patrick M Fritz
David B Golubchik

**United States Bankruptcy Court
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Wednesday, June 24, 2020

Hearing Room 1675

11:30 AM

2:19-10596 Robert David Katz and Roslyn Soudry Katz

Chapter 11

#11.00 Status conference re: Second and final fee application of SulmeyerKupetz, a professional corporation general bankruptcy counsel for debtors
fr. 3/25/20, 4/29/20, 5/20/20

Docket 308

Tentative Ruling:

Updated tentative ruling as of 6/22/20. Off calendar. As stated in the prior order on the motion, the status conference was set to report on the status of the payment of the Bank of America litigation settlement which could be used to pay the fees awarded to applicant. Based on the joint status report of counsel for debtor and former counsel for debtor, the money from the Bank of America settlement was paid over to applicant, and the parties agreed that the status conference may be taken off calendar. No appearances are required on 6/24/20.

Appearances are required on 6/24/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 5/19/20. The court has reviewed debtors' response to applicant's motion to strike their sur-opposition as supplemented, filed on 5/18/20, reporting that debtors and applicant have reached a settlement of their dispute regarding applicant's fee application and payment thereon. Parties should confirm the existence of a settlement, if there is one, how it will

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Courtroom 1675 Calendar**

Wednesday, June 24, 2020

Hearing Room 1675

11:30 AM

CONT... Robert David Katz and Roslyn Soudry Katz

Chapter 11

be documented, or otherwise be prepared to discuss how to proceed.

Prior tentative ruling as of 5/15/20. According to debtors in their sur-opposition filed on 5/6/20, they acknowledge that applicant's fees and costs may be awarded in the aggregate total of \$461,792.91, but request that applicant's request for immediate payment be denied and requiring applicant to agree to alternate treatment under the plan or the matter referred to mediation. In response, applicant asserts that its allowed fees and costs total \$554,747.84, of which \$365,002.37 remains due and owing after payment of \$107,245.47 during the case and a voluntary reduction of \$87,500.00, and requests that the allowed fees and costs be ordered paid in full immediately. In the court's view, it should only determine whether the application for fees and costs should be approved and in what amount. As to how and when the allowed fees and costs are to be paid is governed by the confirmed plan, and plan treatment of this claim is not before the court on this application, though this issue may be a proper subject of discussion during the status conference because debtors may not be able to pay the claim in accordance with the terms of the plan, which may be a plan default. The court denies applicant's motion to strike debtors' sur-opposition because the arguments contained therein relate to the application, though the court does not accept such arguments for purposes of determining the application.

Appearances are required on 5/20/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042) and the Bankruptcy Court's General Order 20-02 of 3/19/20 as amended on 4/1/20 and 4/14/20. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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Prior tentative ruling as of 4/27/20. It appears that debtors do not object to the fees requested in the applicant's second and final fee application in stating in their response to the application: "The Debtors do not object to the general relief prayed for in the Fee Application and do not hereby do so." However, debtors indicate that there are issues regarding their ability to make payments of the fees pursuant to the plan and request that the court direct them and applicant to attend mediation to resolve these issues. As to the supplemental fees requested in applicant's reply on 4/22/20, it is improper for applicant to request newly requested fees in a reply which violates LBR 9013-1(g) providing that "New arguments or matters raised for the first time in reply documents will not be considered." This is unfair and burdensome for the court and debtors to review and respond to such supplemental fees raised for the first time in the reply. If applicant seeks payment of the supplemental fees requested in the reply, the court will have to continue the hearing on the application to consider the supplemental fees. The court is of the view that mediation is a good idea to resolve the payment issues as a matter of practicality at this time before getting into a determination of plan compliance interpreting the plan as to payment of fees based on the sufficiency of debtors' funds on hand.

Appearances are required on 4/29/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues all hearings on the

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CONT... Robert David Katz and Roslyn Soudry Katz Chapter 11

Applications for Fees and Expenses, Docket Numbers 308 and 309, in this bankruptcy case scheduled for March 25, 2020 at 11:00 a.m. The court on its own motion continues these hearings to April 29, 2020 at 11:30 a.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 25, 2020 at 11:00 a.m. as the hearings are continued to April 29, 2020 at 11:30 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Robert David Katz

Represented By
Victor A Sahn
Steven Werth
Cathy Ta

Joint Debtor(s):

Roslyn Soudry Katz

Represented By
Victor A Sahn
Steven Werth
Cathy Ta

**United States Bankruptcy Court
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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.

- #12.00** Cont'd hearing re: Issues raised by the disputes over the proposed scheduling order lodged by the Plan Agent, including the deletion of the proposed language of paragraph 11 of the Plan Agent's proposed scheduling order and the objections of Victor Sahn and Douglas Christmas to their further depositions for matters relating to or arising out of the New Cause of Action
fr. 3/17/20, 4/8/20, 5/6/20

Docket 689

Tentative Ruling:

Updated tentative ruling as of 6/22/20. No tentative ruling on the merits. Appearances are required on 6/24/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Updated tentative ruling as of 5/4/20. No tentative ruling on the merits. Appearances are required on 5/6/20 to discuss the status of the adversary proceeding, including the status of discovery efforts and scheduling of further proceedings in anticipation of the pretrial conference and referral of claims to the district court, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for

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

this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Revised and updated tentative ruling as of 4/7/20. Off calendar. Based on the informal inquiry of the court to counsel, the court on its own motion continues the status conference to 5/6/20 at 1:30 p.m. after counsel for the 400 South La Brea defendants informally advised the court that the parties desire a 30 day continuance of the status conference and will be submitting a stipulation for such a continuance and to address other matters regarding this litigation and proposed order there. No appearances are required on 4/8/20.

Prior tentative ruling as of 3/16/20. In light of the emerging public health crisis from coronavirus disease (COVID-19) in the United States and the world, the court in an abundance of caution continues the status conference in this adversary proceeding scheduled for 3/17/20 at 1:30 p.m. to 4/8/20 at 1:30 p.m. Hopefully, with the continuance to 4/8/20, the court and the parties can assess the emerging and rapidly developing public health crisis regarding the coronavirus outbreak and determine that hearings in the matter may safely proceed. No appearances are required on 3/17/20.

Prior tentative ruling as of 2/3/20. Appearances are required on 2/4/20 for counsel and parties who want to be heard on the matter, 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):

Art and Architecture Books of the

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

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CONT... Art and Architecture Books of the 21st Century
Alan I Nahmias

Chapter 11

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
Michael D. Smith	Represented By Brian L Davidoff
Kamran Gharibian	Represented By Brian L Davidoff
Daryoush Dayan	Represented By Brian L Davidoff
Cathay Bank, a California	Represented By Ekwan E Rhow Elliot C Harvey Schatmeier
Jennifer Kellen	Represented By Michael D Sobkowiak

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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
Jason Balitzer
Steven Thomas
Stephen Sorensen

**United States Bankruptcy Court
Central District of California
Los Angeles
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Thursday, June 25, 2020

Hearing Room 1675

10:00 AM

2:19-15184 Edmond Zarookian

Chapter 7

#1.00 EVIDENTIARY HEARING RE: United States Trustee's motion to dismiss chapter 7 case with a refiling bar pursuant to 11 U.S.C. §707(b)(3)(A), or, in the alternative, to further extend time to file a complaint under §727 fr. 3/3/20, 4/3/20, 5/8/20

Docket 38

***** VACATED *** REASON: Telephonic Pretrial Conf. set on 6/23/20 at 2:00 p.m. per order entered on 6/10/20-mb.**

Courtroom Deputy:

[Telephonic Pretrial Conf. set on 6/23/20 at 2:00 p.m. per order entered on 6/10/20]

Tentative Ruling:

Updated tentative ruling as of 6/11/20. Off calendar. By prior order, the court has vacated the trial on 6/25/20 and set the matter for a telephonic pretrial conference on 6/23/20 at 2:00 p.m. No appearances are required on 6/25/20.

Prior tentative ruling as of 4/10/20. Off calendar. Continued by stipulation and order to 6/25/20 at 10:00 a.m. No appearances are required on 5/8/20.

Prior tentative ruling as of 3/20/20. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the chief judge of the United States District Court for the Central District of California issued an Order of the Chief Judge No. 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion must and does vacate the evidentiary hearing for the contested matter of the motion of United States Trustee to dismiss this bankruptcy case

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Thursday, June 25, 2020

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10:00 AM

CONT... **Edmond Zarookian**

Chapter 7

with a one-year refiling bar scheduled for April 3, 2020 at 10:00 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012 because in person appearances are not permitted in the courthouse on that date. No appearances are required on April 3, 2020 at 10:00 a.m. as the evidentiary hearing on that date is vacated. Based on the stipulation of the parties, the court has issued an order approving the stipulation and continued the evidentiary hearing to May 8, 2020 at 10:00 a.m.

Prior tentative ruling. Treat the motion of United States Trustee to dismiss with a one year refiling bar on grounds of debtor's bad faith as a contested matter under FRBP 9014 since assessment of debtor's good or bad faith is dependent on credibility determinations of debtor's testimony in his declaration and the supporting evidence of the United States Trustee, or alternatively, deny the motion to dismiss without prejudice, and allow United States Trustee an extension of 60 days from the date of the hearing to file a complaint to deny discharge under 11 U.S.C. 727 for cause shown under FRBP 4004(b) in that the United States Trustee has diligently pursued his investigation of possible actions against debtor before the deadline of 1/6/20 and timely filed the motion to extend as shown by his office's examination of debtor at the 11 U.S.C. 341(a) meetings of creditors on 6/4/19, 9/24/19 and 10/21/19 as well as extensive forensic examination of debtor's credit card transactions and elected to seek dismissal first rather than filing an adversary proceeding to deny discharge, which would have been moot if the dismissal had been granted, and that a short extension of time of 60 days for the preparation of a complaint to deny discharge would not prejudice debtor or unduly delay the administration of this case. *In re Jahangiri*, No. 18-31609-dwh7, 2018 WL 5255216 (Bankr. D. Or. 2018) (collecting cases). Appearances are required on 3/3/20, but counsel may appear by telephone.

Party Information

Debtor(s):

Edmond Zarookian

Represented By
Sevan Gorginian

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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Tuesday, June 30, 2020

Hearing Room 1675

10:30 AM

2:20-13943 Elizabeth Velarde

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(AmeriCredit Financial Services, Inc. dba GM Financial VS Debtor)

Docket 12

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 6/30/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Elizabeth Velarde

Represented By
Marc A Goldbach

Movant(s):

AmeriCredit Financial Services, Inc.

Represented By
Mandy D Youngblood
Sheryl K Ith

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, June 30, 2020

Hearing Room 1675

10:30 AM

2:20-14701 Devon Lee Jordan

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Ford Motor Credit Company LLC VS Debtor)

Docket 7

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 6/30/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Devon Lee Jordan

Represented By
Barry E Borowitz

Movant(s):

Ford Motor Credit Company LLC

Represented By
Sheryl K Ith

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
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Tuesday, June 30, 2020

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

#3.00 Cont'd pretrial conference re: Complaint to determine non-dischargeability of debt and for denial of discharge
fr. 6/25/19, 9/17/19, 5/5/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/26/20. Off calendar. The pretrial conference is moot because the court has granted plaintiff's motion for summary judgment as to some claims and motion to dismiss the remaining claims, and entry of judgment is pending. No appearances are required on 6/30/20.

Party Information

Debtor(s):

Rama Krishna Chaparala

Represented By
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

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1:30 PM

2:16-15692 Rama Krishna Chaparala

Chapter 7

Adv#: 2:18-01121 Ehrenberg v. JYMK COSMETICS, INC. et al

#4.00 Cont'd pretrial conference re: Complaint for the avoidance and recovery of fraudulent transfers
fr. 1/28/20, 3/10/20, 5/5/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/26/20. Off calendar. The court has reviewed plaintiff's unilateral status report, stating that the matter is likely moot and requesting a continuance for about 60 days to finalize a related matter which would result in a voluntary dismissal of this matter. The court on its own motion continues the status conference to 9/1/20 at 1:30 p.m. No appearances are required on 6/30/20.

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

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CONT... Rama Krishna Chaparala

Chapter 7

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1:30 PM

2:16-15692 Rama Krishna Chaparala

Chapter 7

Adv#: 2:18-01124 Ehrenberg v. Chaparala

#5.00 Cont'd pretrial conference re: Complaint for the avoidance and recovery of fraudulent transfers
fr. 6/25/19, 9/17/19, 5/5/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/26/20. Off calendar. The court has reviewed plaintiff's unilateral status report, stating that the matter is likely moot and requesting a continuance for about 60 days to finalize a related matter which would result in a voluntary dismissal of this matter. The court on its own motion continues the status conference to 9/1/20 at 1:30 p.m. No appearances are required on 6/30/20.

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

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CONT... Rama Krishna Chaparala

Chapter 7

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1:30 PM

2:18-11475 Catherine Trinh

Chapter 11

Adv#: 2:18-01209 Voong v. Trinh

#6.00 Cont'd status conference re: Adversary complaint for declaratory relief
fr. 2/19/20, 3/24/20, 4/28/20

Docket 1

***** VACATED *** REASON: Cont'd from 6/30/20 to 9/29/20 at 1:30 p.m.
per stip & order entered on 6/25/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 6/26/20. Off calendar. Continued by stipulation
and order to 9/29/29 at 1:30 p.m. No appearances are required on 6/30/20.

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
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Tuesday, June 30, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01258 Goodrich v. Yeftadonay

#7.00 Cont'd status conference re: Complaint for: (1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; (2) Recovery of property pursuant to 11 U.S.C. § 550; (3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; (4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and (5) Turnover of property of the estate pursuant to 11 U.S.C. § 542 fr. 10/8/19, 1/28/20, 4/28/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/26/20. Off calendar. The court has reviewed plaintiff's unilateral status report, stating that he filed a motion for default judgment on 6/16/20 pursuant to the court's notice of opportunity to object and request hearing procedure under LBR 9013-1(o) and requesting a 30 day continuance of the status conference so that the default judgment motion may be resolved. The court on its own motion continues the status conference to 8/4/20 at 1:30 p.m. No appearances are required on 6/30/20.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Jan Yeftadonay

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By

**United States Bankruptcy Court
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CONT...

SOCALDEAL INC

Chapter 7

Faye C Rasch

Beth Gaschen

Weiland Golden Goodrich LLP

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Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01259 Goodrich v. Kabbage, Inc.

#8.00 Cont'd status conference re: Complaint for: (1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; (2) Recovery of property pursuant to 11 U.S.C. § 550; (3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; (4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and (5) Turnover of property of the estate pursuant to 11 U.S.C. § 542 fr. 10/8/19, 1/28/20, 4/28/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/26/20. Off calendar. The court has reviewed plaintiff's unilateral status report, stating that he has finally received the signed settlement agreement and requesting a continuance of the status conference so that he can seek court approval. The court on its own motion continues the status conference to 8/4/20 at 1:30 p.m. No appearances are required on 6/30/20.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Kabbage, Inc.

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen

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SOCALDEAL INC

Weiland Golden Goodrich LLP

Chapter 7

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Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01260 Goodrich v. Marganian

#9.00 Cont'd status conference re: Complaint for: (1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; (2) Recovery of property pursuant to 11 U.S.C. § 550; (3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; (4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and (5) Turnover of property of the estate pursuant to 11 U.S.C. § 542 fr. 10/8/19, 1/28/20, 4/28/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/26/20. Off calendar. The court has reviewed plaintiff's unilateral status report, stating that he filed a motion for default judgment on 6/16/20 pursuant to the court's notice of opportunity to object and request hearing procedure under LBR 9013-1(o) and requesting a 30 day continuance of the status conference so that the default judgment motion may be resolved. The court on its own motion continues the status conference to 8/4/20 at 1:30 p.m. No appearances are required on 6/30/20.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Shahram Marganian

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch

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1:30 PM

CONT...

SOCALDEAL INC

Chapter 7

Beth Gaschen

Weiland Golden Goodrich LLP

**United States Bankruptcy Court
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1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01261 Goodrich v. Paypal, Inc.

#10.00 Cont'd status conference re: Complaint for: (1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; (2) Recovery of property pursuant to 11 U.S.C. § 550; (3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; (4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and (5) Turnover of property of the estate pursuant to 11 U.S.C. § 542 fr. 10/8/19, 1/28/20, 4/28/20

Docket 1

***** VACATED *** REASON: Notice of voluntary dismissal filed on 5/5/20-
mb.**

Tentative Ruling:

Off calendar. The status conference is moot because the adversary proceeding has been voluntarily dismissed by notice filed on 5/5/20. No appearances are necessary.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Paypal, Inc.

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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

Tuesday, June 30, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01262 Goodrich v. Pacific City Bank

#11.00 Cont'd status conference re: Complaint for: (1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; (2) Recovery of property pursuant to 11 U.S.C. § 550; (3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; (4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and (5) Turnover of property of the estate pursuant to 11 U.S.C. § 542 fr. 10/8/19, 1/28/20, 4/28/20

Docket 1

***** VACATED *** REASON: Notice of voluntary dismissal filed on 5/5/20-
mb.**

Tentative Ruling:

Off calendar. The status conference is moot because the adversary proceeding has been voluntarily dismissed by notice filed on 5/5/20. No appearances are necessary.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Pacific City Bank

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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

Tuesday, June 30, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01264 Goodrich v. U.S. Games Distribution, Inc.

#12.00 Cont'd status conference re: Complaint for: (1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; (2) Recovery of property pursuant to 11 U.S.C. § 550; (3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; (4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and (5) Turnover of property of the estate pursuant to 11 U.S.C. § 542 fr. 10/8/19, 1/28/20, 4/28/20

Docket 1

***** VACATED *** REASON: Notice of voluntary dismissal filed on 5/5/20-
mb.**

Tentative Ruling:

Off calendar. The status conference is moot because the adversary proceeding has been voluntarily dismissed by notice filed on 5/5/20. No appearances are necessary.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

U.S. Games Distribution, Inc.

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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

Tuesday, June 30, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01266 Goodrich v. YAEL, LLC

#13.00 Cont'd status conference re: Complaint for: (1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; (2) Recovery of property pursuant to 11 U.S.C. § 550; (3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; (4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and (5) Turnover of property of the estate pursuant to 11 U.S.C. § 542 fr. 10/8/19, 1/28/20, 4/28/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/26/20. Off calendar. The court has reviewed plaintiff's unilateral status report, stating that he is finalizing a motion for default judgment, which was filed on 6/23/20 pursuant to the court's notice of opportunity to object and request hearing procedure under LBR 9013-1(o) and requesting a 30 day continuance of the status conference so that the default judgment motion may be resolved. The court on its own motion continues the status conference to 8/4/20 at 1:30 p.m. No appearances are required on 6/30/20.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

YAEL, LLC

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

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, June 30, 2020

Hearing Room 1675

1:30 PM

CONT...

SOCALDEAL INC

Chapter 7

Faye C Rasch

Beth Gaschen

Weiland Golden Goodrich LLP

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

Tuesday, June 30, 2020

Hearing Room 1675

1:30 PM

2:18-17189 Seven-Bros Enterprises, Inc.

Chapter 7

#14.00 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. 12/17/19, 2/18/20, 4/28/20

Docket 36

Tentative Ruling:

Updated tentative ruling as of 6/26/20. Off calendar. Continued by stipulation and order to 9/29/29 at 1:30 p.m. No appearances are required on 6/30/20.

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, June 30, 2020

Hearing Room 1675

1:30 PM

2:18-17189 Seven-Bros Enterprises, Inc.

Chapter 7

#15.00 Cont'd hearing re: Motion of Salvato Law Offices to withdraw as counsel for debtor fr. 12/17/19, 2/18/20, 4/28/20

Docket 82

Tentative Ruling:

Updated tentative ruling as of 6/26/20. Off calendar. Continued by stipulation and order to 9/29/29 at 1:30 p.m. No appearances are required on 6/30/20.

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, June 30, 2020

Hearing Room 1675

1:30 PM

2:19-12016 MINSEOK LEE

Chapter 7

Adv#: 2:19-01163 Starbucks Corporation v. Lee

#16.00 Cont'd status conference re: Complaint and demand for jury trial
fr. 1/28/20, 3/31/20, 5/5/20

Docket 1

Tentative Ruling:

The court will inquire whether the parties have fully complied with the meet and confer requirement of LBR 7026-1. Set a discovery cutoff date of 12/31/20 and a post-discovery status conference on 1/12/21 at 1:30 p.m. The court does not set the matter for a pretrial conference at this time in light of the current uncertainty from the COVID-19 pandemic and its effect on when the court will be conducting in person trials. At the postdiscovery status conference, the court will discuss with counsel the possibility of conducting the trial remotely by videoconference technology. The court will also discuss the possibility of referral to the court's voluntary mediation program. Appearances are required on 6/30/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, this court is only conducting hearings with telephonic appearances for this matter and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

MINSEOK LEE

Represented By
Jaenam J Coe

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

Tuesday, June 30, 2020

Hearing Room 1675

1:30 PM

CONT... MINSEOK LEE

Chapter 7

Defendant(s):

Minseok Lee

Pro Se

Plaintiff(s):

Starbucks Corporation

Represented By
Shayne Figgins
Maria Keller

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 30, 2020

Hearing Room 1675

1:30 PM

2:19-15356 Ara Ohannes Keyllian

Chapter 7

Adv#: 2:19-01267 Ayrapetyan v. Keyllian

#17.00 Order to show cause why sanctions should not be imposed against plaintiff Anahid Ayrapetyan for failure to appear at status conference and to file status conference report

Docket 1

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 6/30/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, this court is only conducting hearings with telephonic appearances for this matter and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Ara Ohannes Keyllian

Represented By
Eileen Keusseyan

Defendant(s):

Ara Keyllian

Represented By
Eileen Keusseyan

Plaintiff(s):

Anahid Ayrapetyan

Pro Se

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

Tuesday, June 30, 2020

Hearing Room 1675

1:30 PM

CONT... Ara Ohannes Keyllian

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, June 30, 2020

Hearing Room 1675

1:30 PM

2:19-15356 Ara Ohannes Keyllian

Chapter 7

Adv#: 2:19-01267 Ayrapetyan v. Keyllian

#18.00 Cont'd status conference re: Complaint for nondischargeability of debt pursuant to 11 U.S.C. §523(a)(6), 11 U.S.C. §523(a)(2)(A), 11 U.S.C. §727(a)(2)(A), and 11 U.S.C. § 727(a)(4)(A)
fr. 10/15/19, 3/31/20, 5/5/20

Docket 1

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 6/30/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, this court is only conducting hearings with telephonic appearances for this matter and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Ara Ohannes Keyllian

Represented By
Eileen Kusseyan

Defendant(s):

Ara Keyllian

Pro Se

Plaintiff(s):

Anahid Ayrapetyan

Represented By
Linnet Megerdomian

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

Tuesday, June 30, 2020

Hearing Room 1675

1:30 PM

CONT... Ara Ohannes Keyllian

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, June 30, 2020

Hearing Room 1675

1:30 PM

2:19-23349 Lianna Simonyan

Chapter 7

Adv#: 2:20-01032 Strategic Funding Source, Inc., a New York corpora v. Simonyan

#19.00 Cont'd status conference re: Complaint to determine nondischargeability of debt
[11 U.S.C. §§ 523(a)(2) and (a)(6)]
fr. 4/28/20

Docket 1

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 6/30/20 to discuss the status of the adversary proceeding, including when plaintiff will file a motion for default judgment and setting of further proceedings, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, this court is only conducting hearings with telephonic appearances for this matter and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Lianna Simonyan

Represented By
Aidan Butler

Defendant(s):

Lianna Simonyan

Pro Se

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

Tuesday, June 30, 2020

Hearing Room 1675

1:30 PM

CONT... Lianna Simonyan

Chapter 7

Plaintiff(s):

Strategic Funding Source, Inc., a

Represented By
Brian T Harvey

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 30, 2020

Hearing Room 1675

2:00 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01251 Goodrich v. Eghbali

#20.00 Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542 fr. 11/5/19, 3/31/20, 5/5/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/26/20. Off calendar. The court has reviewed plaintiff's unilateral status report, stating that he is filing a motion for default judgment, which he did on 6/16/20 pursuant to the court's notice of opportunity to object and request hearing procedure under LBR 9013-1(o), and requesting a 30 day continuance of the status conference so that the default judgment motion may be resolved. The court on its own motion continues the status conference to 8/4/20 at 1:30 p.m. No appearances are required on 6/30/20.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Michael Eghbali

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch

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

Tuesday, June 30, 2020

Hearing Room 1675

2:00 PM

CONT...

SOCALDEAL INC

Beth Gaschen

Weiland Golden Goodrich LLP

Chapter 7

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

Tuesday, June 30, 2020

Hearing Room 1675

2:00 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01276 Goodrich v. Shemtov

#21.00 Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542 fr. 10/22/19, 3/31/20, 5/5/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/26/20. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 6/30/20 to discuss the status of the adversary proceeding, including the status of the pending mediation and when a pretrial conference and other further proceedings should be set, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, this court is only conducting hearings with telephonic appearances for this matter and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

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

Tuesday, June 30, 2020

Hearing Room 1675

2:00 PM

CONT... SOCALDEAL INC

Chapter 7

Defendant(s):

George Shemtov

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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

Tuesday, June 30, 2020

Hearing Room 1675

2:00 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01277 Goodrich v. Shemtov

#22.00 Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542 fr. 10/22/19, 3/31/20, 5/5/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/26/20. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 6/30/20 to discuss the status of the adversary proceeding, including the status of the pending mediation and when a pretrial conference and other further proceedings should be set, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, this court is only conducting hearings with telephonic appearances for this matter and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

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

Tuesday, June 30, 2020

Hearing Room 1675

2:00 PM

CONT... SOCALDEAL INC

Chapter 7

Defendant(s):

Jack Shemtov

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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

Tuesday, June 30, 2020

Hearing Room 1675

2:00 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01278 Goodrich v. Shemtov

#23.00 Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542 fr. 10/22/19, 3/31/20, 5/5/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/26/20. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 6/30/20 to discuss the status of the adversary proceeding, including the status of the pending mediation and when a pretrial conference and other further proceedings should be set, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, this court is only conducting hearings with telephonic appearances for this matter and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

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

Tuesday, June 30, 2020

Hearing Room 1675

2:00 PM

CONT... SOCALDEAL INC

Chapter 7

Defendant(s):

Najid Shemtov

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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

Tuesday, June 30, 2020

Hearing Room 1675

2:00 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01279 Goodrich v. Shemtov

#24.00 Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542 fr. 10/22/19, 3/31/20, 5/5/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/26/20. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 6/30/20 to discuss the status of the adversary proceeding, including the status of the pending mediation and when a pretrial conference and other further proceedings should be set, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, this court is only conducting hearings with telephonic appearances for this matter and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

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

Tuesday, June 30, 2020

Hearing Room 1675

2:00 PM

CONT... SOCALDEAL INC

Chapter 7

Defendant(s):

Rojeh Shemtov

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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

Tuesday, June 30, 2020

Hearing Room 1675

2:00 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01280 Goodrich v. Shemtov

#25.00 Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542
fr. 10/22/19, 3/31/20, 5/5/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/26/20. Off calendar. The court has reviewed plaintiff's unilateral status report, stating that he filed a motion for default judgment on 6/8/20 pursuant to the court's notice of opportunity to object and request hearing procedure under LBR 9013-1(o) and requesting a 30 day continuance of the status conference so that the default judgment motion may be resolved. The court on its own motion continues the status conference to 8/4/20 at 1:30 p.m. No appearances are required on 6/30/20.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Simon Shemtov

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

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, June 30, 2020

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2:00 PM

CONT...

SOCALDEAL INC

Chapter 7

Faye C Rasch

Beth Gaschen

Weiland Golden Goodrich LLP

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

Tuesday, June 30, 2020

Hearing Room 1675

2:00 PM

2:18-18159 Martha Alicia Fernandez

Chapter 7

Adv#: 2:18-01327 Walden et al v. Fernandez

#26.00 Cont'd status conference re: Complaint for non-dischargeability of debtor under §523(a)(2) (A)
fr. 3/12/20, 4/7/20, 6/9/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/25/20. No tentative ruling on the merits. The court will discuss proceeding with the evidentiary hearing remotely by videoconferencing in light of the current pandemic and has issued an order describing proposed remote trial procedures for the hearing. The court does not intend to conduct in person hearings before 9/1/20. Appearances are required on 6/30/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, this court is only conducting hearings with telephonic appearances for this matter and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Martha Alicia Fernandez

Represented By
Gary S Saunders

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

Tuesday, June 30, 2020

Hearing Room 1675

2:00 PM

CONT... Martha Alicia Fernandez

Chapter 7

Defendant(s):

Martha Alicia Fernandez Pro Se

Plaintiff(s):

Yvette Walden Pro Se

Guadalupe L Cruz Pro Se

Jose L Cruz 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, June 30, 2020

Hearing Room 1675

2:30 PM

2:12-15665 Crystal Cathedral Ministries

Chapter 11

#27.00 Hearing re: Motion for stay of collection pending appeal

Docket 2154

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 6/30/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, this court is only conducting hearings with telephonic appearances for this matter and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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
Roger F Friedman

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

Tuesday, June 30, 2020

Hearing Room 1675

2:30 PM

2:18-13057 Anna J Bowes and Tracy Steven Bowes

Chapter 7

#28.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[David M. Goodrich, Chapter 7 Trustee]

Docket 78

Tentative Ruling:

Updated tentative ruling as of 6/26/20. Off calendar. Continued to 8/4/20 at 2:30 p.m. upon ex parte application of the United States Trustee to continue hearing and order thereon. No appearances are required on 6/30/20.

Party Information

Debtor(s):

Anna J Bowes

Represented By
Roxanne Bonar

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, June 30, 2020

Hearing Room 1675

2:30 PM

2:18-13057 Anna J Bowes and Tracy Steven Bowes

Chapter 7

#29.00 Hearing re: Application for fees and expenses
[Law APC Offices of Wesley H. Avery, Attorney for Chapter 7 Trustee]

Docket 72

Tentative Ruling:

Updated tentative ruling as of 6/26/20. Off calendar. Continued to 8/4/20 at 2:30 p.m. upon ex parte application of the United States Trustee to continue hearing and order thereon. No appearances are required on 6/30/20.

Party Information

Debtor(s):

Anna J Bowes

Represented By
Roxanne Bonar

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, June 30, 2020

Hearing Room 1675

2:30 PM

2:18-23282 LT Funding, LLC

Chapter 7

#30.00 Hearing re: Third interim application for award of compensation and reimbursement of expenses of Danning, Gill, Israel & Krasnoff, LLP, as general counsel to Chapter 7 Trustee

Docket 62

Tentative Ruling:

Off calendar. In light of the lack of a timely written objection to the interim fee application of general bankruptcy counsel for trustee, the court determines that oral argument on the interim fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written objection as consent to the approval of the interim fee application pursuant to Local Bankruptcy Rule 9013-1(h), rules on the interim fee application on the papers, and approves the interim fee application of attorney for trustee for reasons stated in the interim fee application and for lack of timely written objection. No appearances are required on 6/30/20. Trustee or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

LT Funding, LLC

Represented By
Robert L Eisenbach III

Trustee(s):

Brad D Krasnoff (TR)

Represented By
Eric P Israel
George E Schulman

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

Wednesday, July 1, 2020

Hearing Room 1675

11:00 AM

2:11-14196 Gary Wayne Barker

Chapter 11

#1.00 Cont'd status conference re: Management of chapter 11 case
fr. 9/18/19, 1/29/20, 6/3/20

Docket 1

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 7/1/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, this court is only conducting hearings with telephonic appearances for this matter and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 5/29/20. Debtor should address the status of his intent to file a lien avoidance motion and a motion for final decree. Appearances are required on 6/3/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted 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, July 1, 2020

Hearing Room 1675

11:00 AM

CONT... Gary Wayne Barker

Chapter 11

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, July 1, 2020

Hearing Room 1675

11:00 AM

2:15-24071 Francisco O Lopez

Chapter 11

#2.00 Cont'd hearing re: U.S. Trustee Motion under 11 U.S.C. §1112(b)(1) to convert, dismiss or appoint a chapter 11 trustee
fr. 3/25/20, 4/8/20

Docket 153

***** VACATED *** REASON: Motion withdrawn per voluntary dismissal
filed on 6/30/20-mb.**

Tentative Ruling:

Revised and updated tentative ruling as of 6/30/20. Off calendar. Motion withdrawn and voluntarily dismissed by notice filed on 6/30/20. No appearances are required on 7/1/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 4/3/20. No tentative ruling on the merits. Appearances are required on 4/8/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues the hearing on the Motion of the U.S. Trustee under 11 U.S.C. § 1112(b)(1) to Convert, Dismiss or Appoint a Chapter 11 Trustee, Docket No. 153, and the status conference in this bankruptcy case scheduled for March 25, 2020 at 11:00 a.m. The court on its own motion continues the hearing on the motion and the case status

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

Wednesday, July 1, 2020

Hearing Room 1675

11:00 AM

CONT...

Francisco O Lopez

Chapter 11

conference to April 8, 2020 at 11:30 a.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 25, 2020 at 11:00 a.m. as the hearing on the motion and status conference are continued to April 8, 2020 at 11:30 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Francisco O Lopez

Represented By
Nam H. Le
Ryan A. Stubbe

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

Wednesday, July 1, 2020

Hearing Room 1675

11:00 AM

2:15-24071 Francisco O Lopez

Chapter 11

#3.00 Cont'd status conference re: Post confirmation of plan
fr. RN, 3/4/20, 3/25/20, 4/8/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/26/20. No tentative ruling on the merits. Appearances are required on 7/1/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, this court is only conducting hearings with telephonic appearances for this matter and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 4/2/20. No tentative ruling on the merits. Appearances are required on 4/8/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/18/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the

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

Wednesday, July 1, 2020

Hearing Room 1675

11:00 AM

CONT... Francisco O Lopez

Chapter 11

current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues the hearing on the Motion of the U.S. Trustee under 11 U.S.C. § 1112(b)(1) to Convert, Dismiss or Appoint a Chapter 11 Trustee, Docket No. 153, and the status conference in this bankruptcy case scheduled for March 25, 2020 at 11:00 a.m. The court on its own motion continues the hearing on the motion and the case status conference to April 8, 2020 at 11:30 a.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 25, 2020 at 11:00 a.m. as the hearing on the motion and status conference are continued to April 8, 2020 at 11:30 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Prior tentative ruling as of 3/3/20. No tentative ruling on the merits. Appearances are required on 3/4/20, but counsel may appear by telephone.

Prior tentative ruling as of 12/2/19. No tentative ruling on the merits. Appearances are required on 12/4/19 to discuss status of delinquent quarterly operating reports, but counsel may appear by telephone.

Prior tentative ruling as of 11/18/19. Appearances are required on 11/20/19, but counsel may appear by telephone.

Prior tentative ruling as of 10/7/19. No tentative ruling on the merits. Appearances are required on 10/8/19, but counsel may appear by telephone.

Prior tentative ruling as of 7/29/19. No tentative ruling on the merits. Appearances are required on 7/31/19, 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, July 1, 2020

Hearing Room 1675

11:00 AM

2:18-10524 Fox Property Holdings, LLC

Chapter 11

#4.00 Cont'd status conference re: Management of chapter 11 case
fr. 1/29/20, 2/19/20, 6/3/20

Docket 1

***** VACATED *** REASON: Continued from 11:00 a.m. to 3:00 p.m. per
stip & order entered on 6/29/2020-mb.**

Tentative Ruling:

Revised tentative ruling as of 6/30/20. By stipulation and order, the status conference will be conducted at 3:00 p.m., not 11:00 a.m. Appearances are required by telephone at that time.

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, July 1, 2020

Hearing Room 1675

11:00 AM

2:18-11525 Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

#5.00 Cont'd status conference re: Motion for contempt
fr. 12/11/19, 2/19/20, 5/6/20

Docket 205

Tentative Ruling:

Updated tentative ruling as of 6/26/20. No tentative ruling on the merits. Appearances are required on 7/1/20 to discuss the status of the related state court litigation which may have an impact on this litigation, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, this court is only conducting hearings with telephonic appearances for this matter and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted 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**

Wednesday, July 1, 2020

Hearing Room 1675

11:00 AM

2:18-11525 Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

#6.00 Cont'd hearing re: Debtors' objection to amended claim no. 9 and motion to estimate claim for purposes of voting and distribution
fr. 12/11/19, 2/19/20, 5/6/20

Docket 103

Tentative Ruling:

Updated tentative ruling as of 6/26/20. No tentative ruling on the merits. Appearances are required on 7/1/20 to discuss the status of the related state court litigation which may have an impact on this litigation, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, this court is only conducting hearings with telephonic appearances for this matter and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted 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**

Wednesday, July 1, 2020

Hearing Room 1675

11:00 AM

2:18-11525 Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

#7.00 Cont'd status conference re: Management of chapter 11 case
fr. 12/11/19, 2/19/20, 5/6/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/26/20. No tentative ruling on the merits. Appearances are required on 7/1/20 to discuss the status of the related state court litigation which may have an impact on this litigation, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, this court is only conducting hearings with telephonic appearances for this matter and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted 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**

Wednesday, July 1, 2020

Hearing Room 1675

11:00 AM

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. 12/11/19, 2/19/20, 5/6/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/26/20. No tentative ruling on the merits. Appearances are required on 7/1/20 to discuss the status of the related state court litigation which may have an impact on this litigation, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, this court is only conducting hearings with telephonic appearances for this matter and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Defendant(s):

Shahriar Joseph Zargar

Pro Se

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

Wednesday, July 1, 2020

Hearing Room 1675

11:00 AM

CONT... Shahriar Joseph Zargar

Chapter 11

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**

Wednesday, July 1, 2020

Hearing Room 1675

2:00 PM

2:18-13759 Charles Peters

Chapter 11

#9.00 Technical pretrial conference re: Motion for relief from stay
(County of Riverside VS Debtor)
fr. 4/15/20, 4/29/20, 6/3/20

Docket 20

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 7/1/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, this court is only conducting hearings with telephonic appearances for this matter and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Giovanni Orantes
Luis A Solorzano

Movant(s):

Riverside County Treasurer-Tax

Represented By
Ronak N Patel

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

Wednesday, July 1, 2020

Hearing Room 1675

3:00 PM

2:18-10524 Fox Property Holdings, LLC

Chapter 11

#10.00 Cont'd status conference re: Management of chapter 11 case
fr. 1/29/20, 2/19/20, 6/3/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/26/20. No tentative ruling on the merits. Appearances are required on 7/1/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, this court is only conducting hearings with telephonic appearances for this matter and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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**

Tuesday, July 7, 2020

Hearing Room 1675

11:30 AM

2:20-15086 Imperial Standard LLC

Chapter 7

#1.00 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 on the merits. Appearances are required on 7/7/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through August 31, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large

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

Tuesday, July 7, 2020

Hearing Room 1675

11:30 AM

CONT... Imperial Standard LLC

Chapter 7

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Imperial Standard LLC

Pro Se

Trustee(s):

John P Pringle (TR)

Pro Se

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

Tuesday, July 7, 2020

Hearing Room 1675

1:30 PM

2:10-12405 Janet Maria King

Chapter 7

Adv#: 2:20-01110 Garrett v. King

#2.00 Status conference re: Complaint to determine the dischargeability of the debt owed by debtor to petitioner

Docket 1

Tentative Ruling:

Revised tentative ruling as of 7/6/20. Plaintiff filed a motion to dismiss her complaint and adversary proceeding on 7/2/20 based on a settlement with defendant. The court has no objection to dismissing the complaint and adversary proceeding based on plaintiff's motion to voluntarily dismiss the complaint and adversary proceeding. Appearances are required on 7/7/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through August 31, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to

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

Tuesday, July 7, 2020

Hearing Room 1675

1:30 PM

CONT... Janet Maria King

Chapter 7

call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Janet Maria King	Pro Se
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Defendant(s):

Janet Maria King	Pro Se
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Plaintiff(s):

Linda Garrett	Pro Se
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Trustee(s):

David L Hahn (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 7, 2020

Hearing Room 1675

1:30 PM

2:19-14907 Messiah Trucking, Inc.

Chapter 7

Adv#: 2:20-01092 Pringle v. Clearpoint International, Inc., a California corpo

#3.00 Cont'd hearing re: Motion for default judgment
fr. 6/16/20

Docket 10

***** VACATED *** REASON: Order dismissing adversary proceeding
entered on 6/30/20-mb.**

Tentative Ruling:

Off calendar. Adversary proceeding voluntarily dismissed by order entered on
6/30/20. No appearances are required on 7/7/20.

Party Information

Debtor(s):

Messiah Trucking, Inc.

Represented By
Lane K Bogard

Defendant(s):

Clearpoint International, Inc., a

Pro Se

Plaintiff(s):

John P. Pringle

Represented By
Michelle A Marchisotto

Trustee(s):

John P Pringle (TR)

Represented By
Michelle A Marchisotto

Gary Gross

Pro Se

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

Tuesday, July 7, 2020

Hearing Room 1675

1:30 PM

2:19-14907 Messiah Trucking, Inc.

Chapter 7

Adv#: 2:20-01092 Pringle v. Clearpoint International, Inc., a California corpo

#4.00 Cont'd status conference re: Complaint for turnover of estate's property
fr. 6/16/20

Docket 1

***** VACATED *** REASON: Order dismissing adversary proceeding
entered on 6/30/20-mb.**

Tentative Ruling:

Off calendar. Adversary proceeding voluntarily dismissed by order entered on
6/30/20. No appearances are required on 7/7/20.

Party Information

Debtor(s):

Messiah Trucking, Inc.

Represented By
Lane K Bogard

Defendant(s):

Clearpoint International, Inc., a

Pro Se

Plaintiff(s):

John P. Pringle

Represented By
Michelle A Marchisotto

Trustee(s):

John P Pringle (TR)

Represented By
Michelle A Marchisotto

Gary Gross

Pro Se

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

Tuesday, July 7, 2020

Hearing Room 1675

2:30 PM

2:18-20957 Raza Kazmi and Maha Rehman

Chapter 7

#5.00 Cont'd hearing re: USAA Savings Bank's motion to dismiss
fr. 5/19/20

Docket 46

***** VACATED *** REASON: Cont'd from 7/7/20 to 8/4/20 at 2:30 p.m. per
stip & order entered on 6/24/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 8/4/20 at 2:30 p.m. No
appearances are required on 7/7/20.

Party Information

Debtor(s):

Raza Kazmi

Represented By
Richard T Baum
Maureen Strube

Joint Debtor(s):

Maha Rehman

Represented By
Richard T Baum
Maureen Strube

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 7, 2020

Hearing Room 1675

2:30 PM

2:18-23760 Angelica Valdez

Chapter 7

#6.00 Hearing re: Motion for relief from discharge injunction and determination that injunction is not applicable

Docket 20

Tentative Ruling:

Revised tentative ruling as of 7/6/20. Although the court agrees with movant's position that service of the motion is not required on the insurer since the issue of the scope of the debtor's discharge only directly affects the debtor and thus does not "offend fundamental notions of due process" as to the insurer, the court agrees with the debtor that an adversary proceeding is required here because movant seeks declaratory relief regarding the scope of the discharge which is covered by FRBP 7001(9). According to the Bankruptcy Appellate Panel of the Ninth Circuit in *In re Munoz*, 287 B.R. 546, 551 (9th Cir. BAP 2002), it was error to ignore the requirement of an adversary proceeding to grant declaratory relief regarding the scope of the discharge, though it was harmless error in that case where the record of the proceeding was developed to a sufficient degree that the record would not have been materially different, the error would not have affected the substantial rights of the parties and was not inconsistent with substantial justice. Cf. *In re Jahr*, BAP No. EW-11-1538-MkHJu, 2012 WL 3205417 (9th Cir. BAP 2012). It is arguable that the same result should be reached here since the court does not see how this case materially differs from *Munoz*, but the court feels that the proper procedure should be respected, and an adversary proceeding is required by FRBP 7001(9), though the matter would likely be decided on a motion for judgment on the pleadings since it appears that there are only legal issues to be resolved. *In re Munoz*, 287 B.R. at 554-555; *In re Beeney*, 142 B.R. 360, 362-363 (9th Cir. BAP 1992); see also, *Blixseth v. Credit Suisse*, 961 F.3d 1074, 1083-1084 (9th Cir. 2020) (observing "[a] bankruptcy discharge thus protects the debtor from efforts to collect the debtor's discharged debt indirectly and outside of the bankruptcy proceedings; it does not, however, absolve a non-debtor's liabilities for that *same* 'such' debt.")(construing 11 U.S.C. 524(a) and (e) as to an exculpation clause in a Chapter 11 reorganization plan releasing liabilities arising from the bankruptcy proceedings and not the discharged debt; italics in original).

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

Tuesday, July 7, 2020

Hearing Room 1675

2:30 PM

CONT... Angelica Valdez

Chapter 7

In light of this tentative ruling, the court need not rule upon the debtor's evidentiary objections to the declaration of John P. Rosenberg.

Deny the motion without prejudice because an adversary proceeding under FRBP 7001(9) is required. However, no notice in the adversary proceeding needs to be given to the insurer as argued by debtor.

Deny movant's request to grant her motion as a motion for stay relief without prejudice because: (1) the request is procedurally improper to raise a new argument or matter in a reply as indicated by LBR 9013-1(g); and (2) the motion does not give fair notice of the stay relief sought by movant to all the parties in interest, including the trustee, as required by FRBP 4001, LBR 4001-1 and 9013-1.

Appearances are required on 7/7/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through August 31, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than

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

Tuesday, July 7, 2020

Hearing Room 1675

2:30 PM

CONT...

Angelica Valdez

Chapter 7

the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Angelica Valdez

Represented By
Jaime A Cuevas Jr.
John P Kreis

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, July 8, 2020

Hearing Room 1675

11:00 AM

2:13-28671 Elbiali Ismail Osman

Chapter 11

#1.10 Hearing re: Motion for order authorizing post confirmation financing

Docket 330

Tentative Ruling:

No tentative ruling will be issued on the matter heard on shortened notice. Appearances are required on 7/8/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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

Wednesday, July 8, 2020

Hearing Room 1675

11:00 AM

CONT... Elbiali Ismail Osman

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, July 8, 2020

Hearing Room 1675

11:30 AM

2:18-21789 Samuel Marquez

Chapter 11

#1.00 Cont'd technical pretrial conference re: Objection to claim no.1 filed by the Internal Revenue Service
fr. 3/25/20, 4/29/20, 6/10/20

Docket 39

Tentative Ruling:

Revised tentative ruling as of 7/7/20. No tentative ruling on the merits. Since the court approved the order referring the matter to mediation on 7/6/20, the court will discuss scheduling the mediation proceedings and sequencing with the evidentiary hearing. Parties to advise if they have been able to schedule an appointment with the selected mediator. Appearances are required on 7/8/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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

Wednesday, July 8, 2020

Hearing Room 1675

11:30 AM

CONT... Samuel Marquez

Chapter 11

call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, July 8, 2020

Hearing Room 1675

11:30 AM

2:18-21789 Samuel Marquez

Chapter 11

#2.00 Cont'd status conference re: Management of chapter 11 case
fr. 3/4/20, 5/6/20, 6/10/20

Docket 1

Tentative Ruling:

Revised tentative ruling as of 7/7/20. No tentative ruling on the merits. Appearances are required on 7/8/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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

Wednesday, July 8, 2020

Hearing Room 1675

11:30 AM

CONT... Samuel Marquez

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, July 8, 2020

Hearing Room 1675

1:30 PM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#3.00 Cont'd status conference re: Motion for order disallowing proof of claim no. 7-1 filed by Ghazer Zehnaly
fr. 3/4/20, 5/6/20, 6/4/20

Docket 343

Tentative Ruling:

The court has reviewed the status conference statement filed on 6/23/20. No tentative ruling on the merits. Appearances are required on 7/8/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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

Wednesday, July 8, 2020

Hearing Room 1675

1:30 PM

CONT... Sarkis Investments Company, LLC

Chapter 11

Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, July 8, 2020

Hearing Room 1675

1:30 PM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#4.00 Hearing re: Debtor's motion to approve and enforce settlement agreement

Docket 685

Tentative Ruling:

The court has reviewed the status conference statement filed on 6/23/20. No tentative ruling on the merits. Appearances are required on 7/8/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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

Wednesday, July 8, 2020

Hearing Room 1675

1:30 PM

CONT... Sarkis Investments Company, LLC

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar
Shane J Moses

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

Wednesday, July 8, 2020

Hearing Room 1675

1:30 PM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#5.00 Cont'd status conference re: Management of chapter 11 case
fr. 2/19/20, 4/26/20, 6/24/20

Docket 1

Tentative Ruling:

The court has reviewed the status conference statement filed on 6/23/20. No tentative ruling on the merits. Appearances are required on 7/8/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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

Wednesday, July 8, 2020

Hearing Room 1675

1:30 PM

CONT... Sarkis Investments Company, LLC

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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 14, 2020

Hearing Room 1675

10:30 AM

2:20-12362 Kristopher Michael Kilcoyne and Myesha Yannette

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(Cab West, LLC VS Debtors)

Docket 27

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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. No appearances are required on 7/14/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Kristopher Michael Kilcoyne

Represented By
Nicholas M Wajda

Joint Debtor(s):

Myesha Yannette Kilcoyne

Represented By
Nicholas M Wajda

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 14, 2020

Hearing Room 1675

11:30 AM

2:20-15086 Imperial Standard LLC

Chapter 7

#1.10 Cont'd order to show cause why case should not be dismissed pursuant to Local Bankruptcy Rule 9011-2(a) fr. 7/7/20

Docket 4

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 7/14/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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

Tuesday, July 14, 2020

Hearing Room 1675

11:30 AM

CONT... Imperial Standard LLC

Chapter 7

scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Imperial Standard LLC

Pro Se

Trustee(s):

John P Pringle (TR)

Pro Se

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

Tuesday, July 14, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01467 Avery v. Mercedes-Benz Financial Service USA LLC

#2.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential and fraudulent transfers fr. 1/7/20, 3/3/20, 5/5/20

Docket 1

***** VACATED *** REASON: Cont'd from 7/14/20 to 9/15/20 at 1:30 p.m. per stip & order entered on 7/8/20-mb.**

Courtroom Deputy:

[Cont'd from 7/14/20 to 9/15/20 at 1:30 p.m. per stip & order entered on 7/8/20]

Tentative Ruling:

Off calendar. Continued by stipulation and order to 9/15/20 at 1:30 p.m. No appearances are required on 7/14/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Mercedes-Benz Financial Service

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald

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

Tuesday, July 14, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, July 14, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01468 Avery v. Baldwin Sun Inc.

#3.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of fraudulent and transfers
fr. 1/7/20, 3/3/20, 5/5/20

Docket 1

***** VACATED *** REASON: Cont'd from 7/14/20 to 9/15/20 at 1:30 p.m.
per stip & order entered on 7/6/20-mb**

Courtroom Deputy:

[Cont'd from 7/14/20 to 9/15/20 at 1:30 p.m. per stip & order entered on 7/6/20]

Tentative Ruling:

Off calendar. Continued by stipulation and order to 9/15/20 at 1:30 p.m. No appearances are required on 7/14/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Baldwin Sun Inc.

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald

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

Tuesday, July 14, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, July 14, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01470 Avery v. JC Rack Systems

#4.00 Cont'd status conference re: Complaint for avoidance and recovery of fraudulent transfers fr. 1/7/20, 3/3/20, 5/5/20

Docket 1

***** VACATED *** REASON: Cont'd from 7/14/20 to 9/15/20 at 1:30 p.m.
per stip & order entered on 7/8/20-mb.**

Courtroom Deputy:

[Cont'd from 7/14/20 to 9/15/20 at 1:30 p.m. per stip & order entered on 7/8/20]

Tentative Ruling:

Off calendar. Continued by stipulation and order to 9/15/20 at 1:30 p.m. No appearances are required on 7/14/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

JC Rack Systems

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack

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

Tuesday, July 14, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

D Edward Hays
David Wood

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

Tuesday, July 14, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01471 Avery v. Los Angeles County Tax Collector

#5.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of fraudulent and unauthorized postpetition transfers fr. 1/7/20, 3/10/20, 5/5/20

Docket 1

***** VACATED *** REASON: Cont'd from 7/14/20 to 9/15/20 at 1:30 p.m. per stip & order entered on 7/1/20 - st**

Courtroom Deputy:

[Cont'd from 7/14/20 to 9/15/20 at 1:30 p.m. per stip & order entered on 7/1/20]

Tentative Ruling:

Off calendar. Continued by stipulation and order to 9/15/20 at 1:30 p.m. No appearances are required on 7/14/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Los Angeles County Tax Collector

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald

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

Tuesday, July 14, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, July 14, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01473 Avery v. Sio, LLC

#6.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential and fraudulent transfers fr. 1/7/20, 3/3/20, 5/5/20

Docket 1

***** VACATED *** REASON: Cont'd from 7/14/20 to 9/15/20 at 1:30 p.m. per stip & order entered on 7/6/20-mb.**

Courtroom Deputy:

[Cont'd from 7/14/20 to 9/15/20 at 1:30 p.m. per stip & order entered on 7/6/20]

Tentative Ruling:

Off calendar. Continued by stipulation and order to 9/15/20 at 1:30 p.m. No appearances are required on 7/14/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Sio, LLC

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, July 14, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

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

Tuesday, July 14, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01479 Avery v. Trinh

#7.00 Cont'd status conference re: Complaint for (1) breach of fiduciary duty; (2) conversion; (3) misappropriation of trade secrets; (4) wrongful disparagement of debtor's assets; (5) avoidance, recovery, and preservation of preferential transfers; (6) avoidance, recovery, and preservation of preferential transfers; (6) avoidance, recovery, and preservation of actual fraudulent transfers; (7) avoidance, recovery, and preservation of constructive fraudulent transfers; (8) unauthorized post-petition transfers; and (9) turnover of property of the estate
fr. 1/7/20, 3/3/20, 5/5/20

Docket 1

***** VACATED *** REASON: Cont'd from 7/14/20 to 9/30/20 at 1:30 p.m.
per stip & order entered on 7/6/20-mb.**

Courtroom Deputy:

[Cont'd from 7/14/20 to 9/30/20 at 1:30 p.m. per stip & order entered on 7/6/20]

Tentative Ruling:

Off calendar. Continued by stipulation and order to 9/30/20 at 1:30 p.m. No appearances are required on 7/14/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Tony Trinh

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, July 14, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, July 14, 2020

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

#8.00 Cont'd order to show cause why sanctions should not be imposed against plaintiff's attorney Jason Shon and defendants' attorney Bahram Madaem for failure to appear at status conference
fr. 6/16/20

Docket 1

Courtroom Deputy:

[Adv. s/c set on 8/18/20 at 1:30 p.m.]

Tentative Ruling:

Updated tentative ruling as of 7/10/20. No tentative ruling on the merits. Appearances are required on 7/14/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through August 31, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone

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

Tuesday, July 14, 2020

Hearing Room 1675

1:30 PM

CONT... Jong J Kim

Chapter 7

before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 6/12/20. The court having reviewed the declaration of Attorney Bahram Madaen in response to the order to show cause, discharge the order to show cause as to him, but no tentative ruling on the merits as to Attorney Jason Shon. Appearances are required on 6/16/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Jong J Kim

Represented By
M Teri Lim

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

Tuesday, July 14, 2020

Hearing Room 1675

1:30 PM

CONT... Jong J Kim

Chapter 7

Defendant(s):

Jong Joo Kim

Represented By
Bahram Madaen
Jason Shon

Sun Y Kim

Represented By
Bahram Madaen
Jason Shon

Joint Debtor(s):

Sun Y Kim

Represented By
M Teri Lim

Plaintiff(s):

Kevin Shon

Represented By
Jason Shon
Bahram Madaen

Sunny Shon

Represented By
Jason Shon
Bahram Madaen

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, July 14, 2020

Hearing Room 1675

2:00 PM

2:19-15184 Edmond Zarookian

Chapter 7

#9.00 Cont'd telephonic pretrial conference re: United States Trustee's motion to dismiss chapter 7 case with a refiling bar pursuant to 11 U.S.C. §707(b)(3)(A), or, in the alternative, to further extend time to file a complaint under §727 fr. 4/3/20, 5/8/20, 6/23/20

Docket 38

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 7/10/20. No tentative ruling on the merits. Appearances are required on 7/14/20 to discuss the proposed modifications of the model remote trial procedures order set forth in the joint comments of the partes filed with the court and the scheduling of trial, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through August 31, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You

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

Tuesday, July 14, 2020

Hearing Room 1675

2:00 PM

CONT...

Edmond Zarookian

Chapter 7

need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 6/19/20. No tentative ruling on the merits. The court will discuss proceeding with the evidentiary hearing remotely by videoconferencing in light of the current pandemic and has issued an order describing proposed remote trial procedures for the hearing. Appearances are required on 6/23/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 4/10/20. Off calendar. Continued by stipulation and order to 6/25/20 at 10:00 a.m. No appearances are required on 5/8/20.

Prior tentative ruling as of 3/20/20. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health

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2:00 PM

CONT...

Edmond Zarookian

Chapter 7

emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the chief judge of the United States District Court for the Central District of California issued an Order of the Chief Judge No. 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion must and does vacate the evidentiary hearing for the contested matter of the motion of United States Trustee to dismiss this bankruptcy case with a one-year refiling bar scheduled for April 3, 2020 at 10:00 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012 because in person appearances are not permitted in the courthouse on that date. No appearances are required on April 3, 2020 at 10:00 a.m. as the evidentiary hearing on that date is vacated. Based on the stipulation of the parties, the court has issued an order approving the stipulation and continued the evidentiary hearing to May 8, 2020 at 10:00 a.m.

Prior tentative ruling. Treat the motion of United States Trustee to dismiss with a one year refiling bar on grounds of debtor's bad faith as a contested matter under FRBP 9014 since assessment of debtor's good or bad faith is dependent on credibility determinations of debtor's testimony in his declaration and the supporting evidence of the United States Trustee, or alternatively, deny the motion to dismiss without prejudice, and allow United States Trustee an extension of 60 days from the date of the hearing to file a complaint to deny discharge under 11 U.S.C. 727 for cause shown under FRBP 4004(b) in that the United States Trustee has diligently pursued his investigation of possible actions against debtor before the deadline of 1/6/20 and timely filed the motion to extend as shown by his office's examination of debtor at the 11 U.S.C. 341(a) meetings of creditors on 6/4/19, 9/24/19 and 10/21/19 as well as extensive forensic examination of debtor's credit card transactions and elected to seek dismissal first rather than filing an adversary proceeding to deny discharge, which would have been moot if the dismissal had been granted, and that a short extension of time of 60 days for the preparation of a complaint to deny discharge would not prejudice debtor or

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CONT... Edmond Zarookian Chapter 7

unduly delay the administration of this case. *In re Jahangiri*, No. 18-31609-dwh7, 2018 WL 5255216 (Bankr. D. Or. 2018) (collecting cases).
Appearances are required on 3/3/20, but counsel may appear by telephone.

Party Information

Debtor(s):

Edmond Zarookian

Represented By
Sevan Gorginian

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, July 14, 2020

Hearing Room 1675

2:30 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. 2/18/20, 3/31/20, 5/5/20

Docket 118

***** VACATED *** REASON: Cont'd from 7/14/20 to 7/21/20 at 2:30 p.m.
per stip & order entered on 7/8/20-mb.**

Courtroom Deputy:

[Cont'd from 7/14/20 to 7/21/20 at 2:30 p.m. per stip & order entered on 7/8/20]

Tentative Ruling:

Off calendar. Continued by stipulation and order to 7/21/20 at 2:30 p.m. No appearances are required on 7/14/20.

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
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Tuesday, July 14, 2020

Hearing Room 1675

2:30 PM

2:13-26021 L Scott Apparel Inc. and Buchalter Nemer

Chapter 11

#11.00 Cont'd hearing re: Liquidating trustee's motion for order approving proposed compromise and settlement agreement between the liquidating trustee and Lowell Sharron and Beyond Basics, LLC
fr. 6/16/20

Docket 427

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 7/10/20. In light of the limited remand of the matter from the Ninth Circuit to this court, grant the motion for the reasons stated in the moving papers and lack of timely written opposition. Appearances are required on 7/14/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through August 31, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone

**United States Bankruptcy Court
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Los Angeles
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Tuesday, July 14, 2020

Hearing Room 1675

2:30 PM

CONT... L Scott Apparel Inc. and Buchalter Nemer

Chapter 11

before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling. Having reviewed the moving papers and being thoroughly familiar with the circumstances of this litigation, having conducted the trial, the court agrees with the trustee that he has shown that the proposed settlement is fair and equitable and within his reasonable business judgment. The court would grant the motion on the merits for the reasons stated in the moving papers and for lack of timely written opposition, but for its present lack of jurisdiction over the matters to be settled which are currently on appeal before the Ninth Circuit. See *In re Adams Apple, Inc.*, 829 F.2d 1484, 1489 (9th Cir. 1987). When a bankruptcy court lacks jurisdiction to determine a motion due to a pending appeal, the court may issue an indicative ruling declaring how it would rule upon remand, which would be the basis for a motion to the appellate court for a limited remand for the court to rule on the merits of the motion. FRBP 8008. Thus, the court would grant the motion to the extent that it will issue an indicative ruling that it would grant the motion upon a limited remand by the Ninth Circuit.

Appearances are required on 6/16/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-

**United States Bankruptcy Court
Central District of California
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Tuesday, July 14, 2020

Hearing Room 1675

2:30 PM

CONT... L Scott Apparel Inc. and Buchalter Nemer Chapter 11

represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

L Scott Apparel Inc.

Represented By
David W Levene
Kurt Ramlo
Paul J Kurtzhall

**United States Bankruptcy Court
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Tuesday, July 14, 2020

Hearing Room 1675

2:30 PM

2:13-26021 L Scott Apparel Inc.

Chapter 11

#12.00 Cont'd status conference re: Post confirmation of plan
fr. 1/8/20, 6/10/20, 6/16/20

Docket 140

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 7/14/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through August 31, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to

**United States Bankruptcy Court
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Tuesday, July 14, 2020

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2:30 PM

CONT... L Scott Apparel Inc.

Chapter 11

call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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
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Los Angeles
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Tuesday, July 14, 2020

Hearing Room 1675

2:30 PM

2:13-26021 L Scott Apparel Inc.

Chapter 11

Adv#: 2:15-01122 Howard Grobstein as Liquidating Trustee of L. Scot v. Sharron et al

#13.00 Cont'd hearing re: Appearance and examination of judgment debtor Lowell Sharron as the designated representative of judgment debtor Beyond Basics LLC
fr. 11/19/19, 1/28/20, 4/14/20

Docket 194

Courtroom Deputy:

[Cont'd from 4/14/20 to 7/14/20 at 2:30 p.m. per stip & order entered on 4/8/20]

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 7/14/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through August 31, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance

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Tuesday, July 14, 2020

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2:30 PM

CONT... L Scott Apparel Inc.

Chapter 11

reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

L Scott Apparel Inc.

Represented By
David W Levene
Kurt Ramlo
Paul J Kurtzhall

Defendant(s):

Lowell S. Sharron

Represented By
Lloyd S Mann

Beyond Basics, LLC dba Daily

Represented By
Lloyd S Mann

Plaintiff(s):

Howard Grobstein as Liquidating

Represented By
Brian L Davidoff
Courtney E Norton
Lori L Werderitch
Keith Patrick Banner

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

Wednesday, July 15, 2020

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, 1/29/20, 4/1/20, 5/13/20

Docket 1

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 7/15/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through August 31, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large

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

Wednesday, July 15, 2020

Hearing Room 1675

11:00 AM

CONT... Brunelle Equities LLC

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, July 15, 2020

Hearing Room 1675

11:00 AM

2:13-28671 Elbiali Ismail Osman

Chapter 11

#2.00 Cont'd hearing re: California Department of Tax and Fee Administration's motion to dismiss chapter 11 bankruptcy case for cause under 11 U.S.C. 1112 or in the alternative to convert case to chapter 7
fr. 3/4/20, 4/1/20, 6/3/20

Docket 311

Tentative Ruling:

Off calendar. Continued to 8/5/20 at 11:00 a.m. by oral agreement of movant and debtor orally approved by the court at a hearing in this case on 7/8/20. No appearances are required on 7/15/20.

Party Information

Debtor(s):

Elbiali Ismail Osman

Represented By

Carlos F Negrete - INACTIVE -

Alan W Forsley

Robert G Uriarte

Raymond H. Aver

Movant(s):

California Department of Tax and

Represented By

Teaira L Law

Lisa W Chao

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

Wednesday, July 15, 2020

Hearing Room 1675

11:00 AM

2:13-28671 Elbiali Ismail Osman

Chapter 11

#3.00 Hearing re: Motion for order authorizing post confirmation financing

Docket 330

Tentative Ruling:

Off calendar. The regularly noticed hearing is moot as the court heard the motion on shortened notice on 7/8/20 and granted the motion. No appearances are required on 7/15/20.

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, July 15, 2020

Hearing Room 1675

11:00 AM

2:13-28671 Elbiali Ismail Osman

Chapter 11

#4.00 Cont'd status conference re: Post confirmation of plan
fr. RN, 1/15/20, 5/6/20, 6/3/20

Docket 298

Tentative Ruling:

Off calendar. The court continues the status conference on its own motion to 8/5/20 at 11:00 a.m. to be conducted with the continued hearing on the motion of the California Department of Tax and Fee Administration to dismiss or convert since the motion may impact the status of this case. No appearances are required on 7/15/20.

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, July 15, 2020

Hearing Room 1675

11:00 AM

2:19-10596 Robert David Katz

Chapter 11

Adv#: 2:19-01217 Katz et al v. Bank of America Corporation, a Delaware corporatio

#5.00 Hearing re: Motion to dismiss adversary proceeding with prejudice

Docket 27

***** VACATED *** REASON: Dismissed per order entered on 7/10/20-mb.**

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the plaintiffs' motion to dismiss in light of defendants' joinder in the motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants the motion to dismiss for the reasons stated in the moving papers and for lack of timely written opposition. No appearances are required on 7/14/20. Counsel for plaintiffs to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Robert David Katz

Represented By
Mark M Sharf
Ori S Blumenfeld

Defendant(s):

Bank of America Corporation, a

Pro Se

BANK OF AMERICA

Pro Se

Bank of America, N.A., a National

Represented By
Ethan Schatz
E. Christine Hehir

Joint Debtor(s):

Roslyn Soudry Katz

Represented By

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

Wednesday, July 15, 2020

Hearing Room 1675

11:00 AM

CONT... Robert David Katz

Chapter 11

Mark M Sharf
Ori S Blumenfeld

Plaintiff(s):

Robert David Katz

Represented By
Victor A Sahn
Cathy Ta
Ori S Blumenfeld

Roslyn Soudry Katz

Represented By
Victor A Sahn
Cathy Ta
Ori S Blumenfeld

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

Wednesday, July 15, 2020

Hearing Room 1675

11:30 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#5.10 Cont'd status conference re: Motion for order disallowing proof of claim no. 7-1 filed by Ghazer Zehnaly
fr. 5/6/20, 6/4/20, 6/8/20

Docket 343

Tentative Ruling:

Updated and revised tentative ruling as of 7/14/20 at 6:00 p.m. Off calendar. Continued by stipulation and order to 7/22/20 at 11:30 a.m. No appearances are required on 7/15/20.

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, July 15, 2020

Hearing Room 1675

11:30 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#5.20 Cont'd hearing re: Debtor's motion to approve and enforce settlement agreement
fr. 7/8/20

Docket 685

Tentative Ruling:

Updated and revised tentative ruling as of 7/14/20 at 6:00 p.m. Off calendar.
Continued by stipulation and order to 7/22/20 at 11:30 a.m. No appearances
are required on 7/15/20.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar
Shane J Moses

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

Wednesday, July 15, 2020

Hearing Room 1675

11:30 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#5.30 Cont'd status conference re: Management of chapter 11 case
fr. 4/26/20, 6/24/20, 7/8/20

Docket 1

Tentative Ruling:

Updated and revised tentative ruling as of 7/14/20 at 6:00 p.m. Off calendar.
Continued by stipulation and order to 7/22/20 at 11:30 a.m. No appearances
are required on 7/15/20.

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, July 15, 2020

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

#6.00 Cont'd hearing re: Plaintiff/creditor, James Lee /Clark's notice of motion to compel inspection and to produce documents and response from and to defendant/debtor Rita Gail Ellison-Farris; request for terminating sanctions fr. 1/15/20, 4/15/20, 5/20/20

Docket 390

Tentative Ruling:

Updated tentative ruling as of 7/10/20. See tentative ruling for item number 14.

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, July 15, 2020

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, July 15, 2020

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

#7.00 Cont'd 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 fr. 1/15/20, 4/15/20, 5/20/20

Docket 412

Tentative Ruling:

Updated tentative ruling as of 7/10/20. See tentative ruling for item number 14.

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, July 15, 2020

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

#8.00 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. 1/15/20, 4/15/20, 5/20/20

Docket 351

Tentative Ruling:

Updated tentative ruling as of 7/10/20. See tentative ruling for item number 14.

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, July 15, 2020

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

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

Wednesday, July 15, 2020

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

#9.00 Cont'd hearing re: Plaintiff/creditor, James Lee Clark's notice of motion to compel further discovery responses to defendant/debtor Rita Gail Ellison-Farris fr. 1/15/20, 4/15/20, 5/20/20

Docket 377

Tentative Ruling:

Updated tentative ruling as of 7/10/20. See tentative ruling for item number 14.

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, July 15, 2020

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 hearing re: Plaintiff/creditor James Lee Clark's motion for an order for sanctions including terminating sanctions against defendant/debtor Rita Ellison-Farris fr. 1/15/20, 4/15/20, 5/20/20

Docket 362

Tentative Ruling:

Updated tentative ruling as of 7/10/20. See tentative ruling for item number 14.

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, July 15, 2020

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

#11.00 Cont'd 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 fr. 1/15/20, 4/15/20, 5/20/20

Docket 397

Tentative Ruling:

Updated tentative ruling as of 7/10/20. See tentative ruling for item number 14.

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, July 15, 2020

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, July 15, 2020

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

#12.00 Cont'd hearing re: Motion to amend adversary complaint and to add Jennifer, quiet title,
cancel the deed and note
fr. 1/15/20, 4/15/20, 5/20/20

Docket 399

Tentative Ruling:

Updated tentative ruling as of 7/10/20. See tentative ruling for item number 14.

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

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

Wednesday, July 15, 2020

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

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, July 15, 2020

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

#13.00 Cont'd hearing re: Motion to abstain
fr. 1/15/20, 4/15/20, 5/20/20

Docket 414

Tentative Ruling:

Updated tentative ruling as of 7/10/20. See tentative ruling for item number 14.

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, July 15, 2020

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

#14.00 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. 1/15/20, 4/15/20, 5/20/20

Docket 1

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 7/15/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through August 31, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to

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

Wednesday, July 15, 2020

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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**

Wednesday, July 15, 2020

Hearing Room 1675

1:30 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**

Wednesday, July 15, 2020

Hearing Room 1675

1:30 PM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:14-01088 Clark v. Farris-Ellison

#15.00 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. 1/15/20, 4/15/20, 5/20/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 7/10/20. See tentative ruling for item number 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, July 16, 2020

Hearing Room 1675

9:30 AM

2:18-23985 Elvira Garcia Lobusta

Chapter 7

#1.00 Reaffirmation Agreement Between Debtor and Nissan Motor Acceptance Corporation

fr. 6-4-20

Docket 97

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

Join By Computer

Meeting URL: <https://www.zoomgov.com/j/1616936930>

Meeting ID: 161 693 6930

Password: 787729

Join By Telephone

Dial: +1 (669)254-5252 US (San Jose) or +1(646)828-7666 US (New York)

Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... Elvira Garcia Lobusta

Chapter 7

Party Information

Debtor(s):

Elvira Garcia Lobusta

Represented By
Caroline S Kim

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, July 16, 2020

Hearing Room 1675

9:30 AM

2:18-23985 Elvira Garcia Lobusta

Chapter 7

#2.00 Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation

fr. 6-4-20

Docket 99

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

Join By Computer

Meeting URL: <https://www.zoomgov.com/j/1616936930>

Meeting ID: 161 693 6930

Password: 787729

Join By Telephone

Dial: +1 (669)254-5252 US (San Jose) or +1(646)828-7666 US (New York)

Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... Elvira Garcia Lobusta

Chapter 7

Debtor(s):

Elvira Garcia Lobusta

Represented By
Caroline S Kim

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, July 16, 2020

Hearing Room 1675

9:30 AM

2:19-13540 Chong Yang

Chapter 7

#3.00 Reaffirmation Agreement Between Debtor and Nationwide Bank

Docket 42

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

Join By Computer

Meeting URL: <https://www.zoomgov.com/j/1616936930>

Meeting ID: 161 693 6930

Password: 787729

Join By Telephone

Dial: +1 (669)254-5252 US (San Jose) or +1(646)828-7666 US (New York)

Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... Chong Yang

Chapter 7

Debtor(s):

Chong Yang

Represented By
Caroline S 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**

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

2:19-24424 Jacobo Vargas

Chapter 7

#4.00 Reaffirmation Agreement Between Debtor and Snap-on Credit LLC
fr. 6-4-20

Docket 16

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

Join By Computer

Meeting URL: <https://www.zoomgov.com/j/1616936930>

Meeting ID: 161 693 6930

Password: 787729

Join By Telephone

Dial: +1 (669)254-5252 US (San Jose) or +1(646)828-7666 US (New York)

Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... Jacobo Vargas

Chapter 7

Debtor(s):

Jacobo Vargas

Represented By
Jose Cervantes

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, July 16, 2020

Hearing Room 1675

9:30 AM

2:19-24474 Eduardo Rosales and Huong Vu Rosales

Chapter 7

**#5.00 Reaffirmation Agreement Between Debtor and Orange County's Credit Union
fr. 5/7/20**

Docket 14

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Revised tentative ruling as of 7/13/20. Off calendar. The reaffirmation agreement between debtors and a federal credit union certified by the debtors' attorney does not need court approval pursuant to 11 U.S.C. 524(m)(2). The court has issued an order taking the matter off calendar. No appearances are required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... Eduardo Rosales and Huong Vu Rosales

Chapter 7

Debtor(s):

Eduardo Rosales

Represented By
Arlene M Tokarz

Joint Debtor(s):

Huong Vu Rosales

Represented By
Arlene M Tokarz

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, July 16, 2020

Hearing Room 1675

9:30 AM

2:19-24640 Dawit Masresha Alemayehu

Chapter 7

#6.00 Reaffirmation Agreement Between Debtor and Capital One Auto Finance, a division of Capital One, N.A.
fr. 5/7/20

Docket 10

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

Join By Computer

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Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... Dawit Masresha Alemayehu

Chapter 7

Debtor(s):

Dawit Masresha Alemayehu

Represented By
Michael Jay Berger

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, July 16, 2020

Hearing Room 1675

9:30 AM

2:19-24801 Emerson Noe Rivera

Chapter 7

#7.00 Reaffirmation Agreement Between Debtor and Capital One Auto Finance
fr. 6-4-20

Docket 12

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... Emerson Noe Rivera

Chapter 7

Debtor(s):

Emerson Noe Rivera

Represented By
Marlin Branstetter

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, July 16, 2020

Hearing Room 1675

9:30 AM

2:19-24806 Elizabeth Rodriguez

Chapter 7

**#8.00 Reaffirmation Agreement Between Debtor and Logix Federal Credit Union
fr. 6-4-20**

Docket 28

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Meeting ID: 161 693 6930
Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... Elizabeth Rodriguez

Chapter 7

Debtor(s):

Elizabeth Rodriguez

Represented By
Caroline S Kim

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, July 16, 2020

Hearing Room 1675

9:30 AM

2:19-25110 James Anthony Choi

Chapter 7

**#9.00 Reaffirmation Agreement Between Debtor and Ally Bank
fr. 5/7/20**

Docket 7

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... James Anthony Choi

Chapter 7

Debtor(s):

James Anthony Choi

Represented By
Donna R Dishbak

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, July 16, 2020

Hearing Room 1675

9:30 AM

2:20-10266 Chunyuan Liu

Chapter 7

#10.00 Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation
fr. 6-4-20

Docket 9

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... Chunyuan Liu

Chapter 7

Debtor(s):

Chunyuan Liu

Represented By
Maria W Tam

Trustee(s):

John P Pringle (TR)

Pro Se

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

2:20-10333 Maria Reyes

Chapter 7

#11.00 Reaffirmation Agreement Between Debtor and Wells Fargo Bank N.A.

Docket 9

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... Maria Reyes

Chapter 7

Debtor(s):

Maria Reyes

Represented By
Frank J Alvarado

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, July 16, 2020

Hearing Room 1675

9:30 AM

2:20-10620 Paul Richard Archambault

Chapter 7

#12.00 Reaffirmation Agreement Between Debtor and WILSHIRE CONSUMER CREDIT
fr. 5/7/20

Docket 8

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... Paul Richard Archambault

Chapter 7

Debtor(s):

Paul Richard Archambault 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**

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

2:20-10628 Teofilo Aguirre Chavez

Chapter 7

#13.00 Reaffirmation Agreement Between Debtor and JPMorgan Chase Bank, N.A.

Docket 17

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

Join By Computer

Meeting URL: <https://www.zoomgov.com/j/1616936930>

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Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... Teofilo Aguirre Chavez

Chapter 7

Debtor(s):

Teofilo Aguirre Chavez

Represented By
Benard C Udeozor

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, July 16, 2020

Hearing Room 1675

9:30 AM

2:20-10639 Yolanda A Montoya

Chapter 7

#14.00 Reaffirmation Agreement Between Debtor and American Honda Finance Corporation
fr. 5/7/20

Docket 8

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

Join By Computer

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Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... Yolanda A Montoya

Chapter 7

Debtor(s):

Yolanda A Montoya

Represented By
Michael H Colmenares

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 16, 2020

Hearing Room 1675

9:30 AM

2:20-10775 Michael W Hollingsworth

Chapter 7

#15.00 Reaffirmation Agreement Between Debtor and Santander Consumer USA, Inc.,
successor in interest to Gateway One Lending & Finance, LLC

Docket 13

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... Michael W Hollingsworth

Chapter 7

Debtor(s):

Michael W Hollingsworth 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**

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

2:20-10794 Filoted Rivera

Chapter 7

#16.00 Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation
fr. 6-4-20

Docket 10

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... Filoted Rivera

Chapter 7

Debtor(s):

Filoted Rivera

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, July 16, 2020

Hearing Room 1675

9:30 AM

2:20-10903 Monica Eileen Valdovinos

Chapter 7

#17.00 Reaffirmation Agreement Between Debtor and Ally Bank

Docket 9

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... Monica Eileen Valdovinos

Chapter 7

Debtor(s):

Monica Eileen Valdovinos

Represented By
Richard F Hernandez

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, July 16, 2020

Hearing Room 1675

9:30 AM

2:20-10998 Henry Isaias Lara

Chapter 7

#18.00 Reaffirmation Agreement Between Debtor and Mercedes-Benz Financial Services USA LLC
fr. 5/7/20

Docket 10

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... Henry Isaias Lara

Chapter 7

Debtor(s):

Henry Isaias Lara

Represented By
Ali R Nader

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, July 16, 2020

Hearing Room 1675

9:30 AM

2:20-11036 Andrew J Haspel

Chapter 7

#19.00 Reaffirmation Agreement Between Debtor and Exeter Finance LLC

Docket 14

***** VACATED *** REASON: Notice of rescission filed on 5/8/20-mb.**

Tentative Ruling:

Off calendar. Debtor filed a notice of rescission of reaffirmation agreement on 5/8/20. No appearances are necessary.

Party Information

Debtor(s):

Andrew J Haspel

Represented By
Mark J Markus

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, July 16, 2020

Hearing Room 1675

9:30 AM

2:20-11145 Marcos A. Rodriguez and Francisca Norma Rodriguez

Chapter 7

#20.00 Reaffirmation Agreement Between Debtor and Capital One Auto Finance, a division of Capital One, N.A.

Docket 14

Tentative Ruling:

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Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... Marcos A. Rodriguez and Francisca Norma Rodriguez

Chapter 7

Debtor(s):

Marcos A. Rodriguez

Represented By
R Grace Rodriguez

Joint Debtor(s):

Francisca Norma Rodriguez

Represented By
R Grace Rodriguez

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, July 16, 2020

Hearing Room 1675

9:30 AM

2:20-11218 Claudia O Velasquez

Chapter 7

#21.00 Reaffirmation Agreement Between Debtor and Capital One Auto Finance, a division of Capital One, N.A.

Docket 9

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... Claudia O Velasquez

Chapter 7

Debtor(s):

Claudia O Velasquez

Represented By
Raymond Perez

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, July 16, 2020

Hearing Room 1675

9:30 AM

2:20-11235 Fernando Prieto

Chapter 7

#22.00 Reaffirmation Agreement Between Debtor and OneMain

Docket 9

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... Fernando Prieto

Chapter 7

Debtor(s):

Fernando Prieto

Represented By
Glenn Ward Calsada

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, July 16, 2020

Hearing Room 1675

9:30 AM

2:20-11275 Jose T Gonzalez Vela

Chapter 7

#23.00 Reaffirmation Agreement Between Debtor and LBS Financial Credit Union
fr. 5/7/20

Docket 8

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

Join By Computer

Meeting URL: <https://www.zoomgov.com/j/1616936930>

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Password: 787729

Join By Telephone

Dial: +1 (669)254-5252 US (San Jose) or +1(646)828-7666 US (New York)

Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... Jose T Gonzalez Vela

Chapter 7

Debtor(s):

Jose T Gonzalez Vela

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, July 16, 2020

Hearing Room 1675

9:30 AM

2:20-11302 Qi Huang

Chapter 7

#24.00 Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation

Docket 9

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... Qi Huang

Chapter 7

Debtor(s):

Qi Huang

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, July 16, 2020

Hearing Room 1675

9:30 AM

2:20-11358 Erica Williams

Chapter 7

#25.00 Reaffirmation Agreement Between Debtor and CarMax Auto Finance
fr. 5/7/20

Docket 11

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Meeting ID: 161 693 6930

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Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... Erica Williams

Chapter 7

Debtor(s):

Erica Williams

Pro Se

Trustee(s):

John P Pringle (TR)

Pro Se

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

2:20-11570 Maria Elvia Ricalday

Chapter 7

#26.00 Reaffirmation Agreement Between Debtor and Nissan Motor Acceptance Corporation

Docket 12

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... Maria Elvia Ricalday

Chapter 7

Debtor(s):

Maria Elvia Ricalday

Represented By
Daniel King

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, July 16, 2020

Hearing Room 1675

9:30 AM

2:20-11570 Maria Elvia Ricalday

Chapter 7

#27.00 Reaffirmation Hearing with Americredit Financial Services dba GM Financial

Docket 15

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... Maria Elvia Ricalday

Chapter 7

Debtor(s):

Maria Elvia Ricalday

Represented By
Daniel King

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, July 16, 2020

Hearing Room 1675

9:30 AM

2:20-11614 Jocelyn Sudario Espiritu

Chapter 7

#28.00 Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation

Docket 12

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... Jocelyn Sudario Espiritu

Chapter 7

Debtor(s):

Jocelyn Sudario Espiritu

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**

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

2:20-11654 Therese Renee Whitten

Chapter 7

#29.00 Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation
fr. 5/7/20

Docket 9

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... Therese Renee Whitten

Chapter 7

Debtor(s):

Therese Renee Whitten

Represented By
Michael Jay Berger

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, July 16, 2020

Hearing Room 1675

9:30 AM

2:20-11655 Kevin Stephen Mischler

Chapter 7

#30.00 Reaffirmation Agreement Between Debtor and BMW Bank of North America

Docket 11

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... Kevin Stephen Mischler

Chapter 7

Debtor(s):

Kevin Stephen Mischler

Represented By
Michael Jay Berger

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, July 16, 2020

Hearing Room 1675

9:30 AM

2:20-11694 Jasmin Alvarado

Chapter 7

#31.00 Reaffirmation Agreement Between Debtor and VW Credit, Inc.

Docket 11

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Meeting URL: <https://www.zoomgov.com/j/1616936930>

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Meeting ID: 161 693 6930

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Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... Jasmin Alvarado

Chapter 7

Debtor(s):

Jasmin Alvarado

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, July 16, 2020

Hearing Room 1675

9:30 AM

2:20-11826 David Brian Hernandez

Chapter 7

#32.00 Reaffirmation Agreement Between Debtor and Aqua Finance, Inc.

Docket 13

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Meeting URL: <https://www.zoomgov.com/j/1616936930>

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Dial: +1 (669)254-5252 US (San Jose) or +1(646)828-7666 US (New York)

Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... David Brian Hernandez

Chapter 7

Debtor(s):

David Brian Hernandez

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**

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

2:20-11826 David Brian Hernandez

Chapter 7

#33.00 Reaffirmation Agreement Between Debtor and Nations Direct Mortgage, LLC

Docket 16

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Dial: +1 (669)254-5252 US (San Jose) or +1(646)828-7666 US (New York)

Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... David Brian Hernandez

Chapter 7

Debtor(s):

David Brian Hernandez

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**

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

2:20-11886 Luis Alfonso Vazquez and Alicia Vazquez

Chapter 7

#34.00 Reaffirmation Agreement Between Debtor and JPMorgan Chase Bank, N.A.

Docket 21

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Meeting URL: <https://www.zoomgov.com/j/1616936930>

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Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... Luis Alfonso Vazquez and Alicia Vazquez

Chapter 7

Debtor(s):

Luis Alfonso Vazquez

Represented By
Hale Andrew Antico

Joint Debtor(s):

Alicia Vazquez

Represented By
Hale Andrew Antico

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, July 16, 2020

Hearing Room 1675

9:30 AM

2:20-11992 Jose Angel Barajas and Emma Alejandra Ramirez

Chapter 7

**#35.00 Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation
fr. 5/7/20**

Docket 8

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... Jose Angel Barajas and Emma Alejandra Ramirez

Chapter 7

Debtor(s):

Jose Angel Barajas

Represented By
Raymond Perez

Joint Debtor(s):

Emma Alejandra Ramirez

Represented By
Raymond Perez

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, July 16, 2020

Hearing Room 1675

9:30 AM

2:20-11992 Jose Angel Barajas and Emma Alejandra Ramirez

Chapter 7

**#36.00 Reaffirmation Agreement Between Debtor and Mechanics Bank
fr. 5/7/20**

Docket 10

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... Jose Angel Barajas and Emma Alejandra Ramirez

Chapter 7

Debtor(s):

Jose Angel Barajas

Represented By
Raymond Perez

Joint Debtor(s):

Emma Alejandra Ramirez

Represented By
Raymond Perez

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, July 16, 2020

Hearing Room 1675

9:30 AM

2:20-12052 Andrew Erik Garcia and Victoria Josephine Lascano

Chapter 7

#37.00 Reaffirmation Agreement Between Debtor and SchoolsFirst Federal Credit Union

Docket 18

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... Andrew Erik Garcia and Victoria Josephine Lascano

Chapter 7

Debtor(s):

Andrew Erik Garcia

Represented By
Daniel King

Joint Debtor(s):

Victoria Josephine Lascano

Represented By
Daniel King

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, July 16, 2020

Hearing Room 1675

9:30 AM

2:20-12161 Isabel Enedina Betancourt

Chapter 7

#38.00 Reaffirmation Agreement Between Debtor and American Honda Finance Corporation

Docket 12

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

9:30 AM

CONT... Isabel Enedina Betancourt

Chapter 7

Debtor(s):

Isabel Enedina Betancourt

Represented By
Marcus Gomez

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, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-12334 Kwang Chul Choe

Chapter 7

#39.00 Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation

Docket 9

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

CONT... Kwang Chul Choe

Chapter 7

Debtor(s):

Kwang Chul Choe

Represented By
Joseph S Park

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, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-12491 Lisa Marie Brown-Bradley

Chapter 7

#40.00 Reaffirmation Agreement Between Debtor and Daimler Trust

Docket 13

***** VACATED *****

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

CONT... Lisa Marie Brown-Bradley

Chapter 7

Debtor(s):

Lisa Marie Brown-Bradley

Represented By
Robert Reganyan

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, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-12500 Cynthia Esquivel

Chapter 7

#41.00 Reaffirmation Agreement Between Debtor and Bank of America, N.A.

Docket 9

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

Join By Computer

Meeting URL: <https://www.zoomgov.com/j/1616936930>

Meeting ID: 161 693 6930

Password: 787729

Join By Telephone

Dial: +1 (669)254-5252 US (San Jose) or +1(646)828-7666 US (New York)

Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

CONT... Cynthia Esquivel

Chapter 7

Debtor(s):

Cynthia Esquivel

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, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-12525 Maria Castro Garcia

Chapter 7

#42.00 Reaffirmation Agreement Between Debtor and Santander Consumer USA Inc.

Docket 13

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

CONT... Maria Castro Garcia

Chapter 7

Debtor(s):

Maria Castro Garcia

Represented By

Lisa F Collins-Williams

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, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-12557 Angela Chihann Yen

Chapter 7

#43.00 Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation

Docket 13

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

Join By Computer

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Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

CONT... Angela Chihann Yen

Chapter 7

Debtor(s):

Angela Chihann Yen

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**

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-12565 Yuen Lung Wong and Sandy Toi Ling Wong

Chapter 7

#44.00 Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation

Docket 14

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

Join By Computer

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Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

CONT... Yuen Lung Wong and Sandy Toi Ling Wong

Chapter 7

Debtor(s):

Yuen Lung Wong

Represented By
Maria W Tam

Joint Debtor(s):

Sandy Toi Ling Wong

Represented By
Maria W Tam

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, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-12685 Daniel Francisco Marquez

Chapter 7

#45.00 Reaffirmation Agreement Between Debtor and American Honda Finance Corporation

Docket 11

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

CONT... Daniel Francisco Marquez

Chapter 7

Debtor(s):

Daniel Francisco Marquez

Represented By
Ricardo Gomez

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, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-12702 Michael W. Dewberry

Chapter 7

**#46.00 Reaffirmation Agreement Between Debtor and Ford Motor Credit Company LLC
(2017 Ford Fusion)**

Docket 12

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

Join By Computer

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Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

CONT... Michael W. Dewberry

Chapter 7

Debtor(s):

Michael W. Dewberry

Represented By
Christine A Kingston

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, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-12787 Kendall Edward Williams

Chapter 7

#47.00 Reaffirmation Agreement Between Debtor and Mercedes-Benz Financial Services USA LLC

Docket 15

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

CONT... Kendall Edward Williams

Chapter 7

Debtor(s):

Kendall Edward Williams

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**

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-12787 Kendall Edward Williams

Chapter 7

#48.00 Reaffirmation Agreement Between Debtor and WESTLAKE FINANCIAL SERVICES

Docket 18

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

CONT... Kendall Edward Williams

Chapter 7

Debtor(s):

Kendall Edward Williams

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**

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-12916 Milan Ashley Johnson

Chapter 7

#49.00 Reaffirmation Agreement Between Debtor and Capital One Auto Finance, a division of Capital One, N.A.

Docket 13

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

CONT... Milan Ashley Johnson

Chapter 7

Debtor(s):

Milan Ashley Johnson

Represented By
Philomena N Nzegge

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, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-12918 Tania Dolores Linares

Chapter 7

#50.00 Reaffirmation Agreement Between Debtor and Citizens One Auto Finance

Docket 16

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

CONT... Tania Dolores Linares

Chapter 7

Debtor(s):

Tania Dolores Linares

Represented By
Philomena N Nzegge

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, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-12930 Carlos Diaz and Karen Patricia Diaz

Chapter 7

#51.00 Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation

Docket 10

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

CONT... Carlos Diaz and Karen Patricia Diaz

Chapter 7

Debtor(s):

Carlos Diaz

Represented By
Omar Zambrano

Joint Debtor(s):

Karen Patricia Diaz

Represented By
Omar Zambrano

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, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-12986 Eun Kyung Yoon

Chapter 7

#52.00 Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation

Docket 10

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

CONT... Eun Kyung Yoon

Chapter 7

Debtor(s):

Eun Kyung Yoon

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, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-12998 Carlos Tello Yam and Guadalupe Tello

Chapter 7

#53.00 Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation

Docket 11

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

CONT... Carlos Tello Yam and Guadalupe Tello

Chapter 7

Debtor(s):

Carlos Tello Yam

Represented By
Daniel King

Joint Debtor(s):

Guadalupe Tello

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**

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-13094 Mark Jon Martinson

Chapter 7

#54.00 Reaffirmation Agreement Between Debtor and Nuvision Credit Union

Docket 16

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

Join By Computer

Meeting URL: <https://www.zoomgov.com/j/1616936930>

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Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

CONT... Mark Jon Martinson

Chapter 7

Debtor(s):

Mark Jon Martinson

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**

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-13094 Mark Jon Martinson

Chapter 7

#55.00 Reaffirmation Agreement Between Debtor and Nuvision Credit Union

Docket 17

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

CONT... Mark Jon Martinson

Chapter 7

Debtor(s):

Mark Jon Martinson

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**

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-13094 Mark Jon Martinson

Chapter 7

**#56.00 Reaffirmation Agreement Between Debtor and Ford Motor Credit Company LLC
(2018 Ford Transit Connect)**

Docket 22

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

Join By Computer

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Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

CONT... Mark Jon Martinson

Chapter 7

Debtor(s):

Mark Jon Martinson

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**

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-13138 Andrea Frieden Stanley

Chapter 7

#57.00 Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation

Docket 11

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

CONT... Andrea Frieden Stanley

Chapter 7

Debtor(s):

Andrea Frieden Stanley

Represented By
Raymond J Bulaon

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, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-13150 Mario Garcia Garcia

Chapter 7

#58.00 Reaffirmation Agreement Between Debtor and TD Auto Finance LLC (2019 Hyundai Santa Fe)

Docket 14

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

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Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

CONT... Mario Garcia Garcia

Chapter 7

Debtor(s):

Mario Garcia Garcia

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, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-13153 Cesar James Nevarez and Francis Marie Nevarez

Chapter 7

**#59.00 Reaffirmation Agreement Between Debtor and State Farm Bank, FSB C/O
Twenty-One Eighty-Five, L.L.C.
[Presumption of Undue Hardship]**

fr. 5-20-20, 6-4-20

Docket 20

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

Join By Computer

Meeting URL: <https://www.zoomgov.com/j/1616936930>

Meeting ID: 161 693 6930

Password: 787729

Join By Telephone

Dial: +1 (669)254-5252 US (San Jose) or +1(646)828-7666 US (New York)

Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

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

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

CONT... Cesar James Nevarez and Francis Marie Nevarez

Chapter 7

Party Information

Debtor(s):

Cesar James Nevarez

Represented By
Douglas L Weeks

Joint Debtor(s):

Francis Marie Nevarez

Represented By
Douglas L Weeks

Movant(s):

State Farm Bank, FSB C/O Twenty-

Represented By
John Leary

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, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-13190 Ivette Cruz

Chapter 7

#60.00 Reaffirmation Agreement Between Debtor and Columbia Credit Union

Docket 11

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

Join By Computer

Meeting URL: <https://www.zoomgov.com/j/1616936930>

Meeting ID: 161 693 6930

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Join By Telephone

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Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

CONT... Ivette Cruz

Chapter 7

Debtor(s):

Ivette Cruz

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**

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-13191 Shari Milen Quismundo Sabio

Chapter 7

#61.00 Reaffirmation Agreement Between Debtor and SchoolsFirst Federal Credit Union

Docket 11

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

Join By Computer

Meeting URL: <https://www.zoomgov.com/j/1616936930>

Meeting ID: 161 693 6930

Password: 787729

Join By Telephone

Dial: +1 (669)254-5252 US (San Jose) or +1(646)828-7666 US (New York)

Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

CONT... Shari Milen Quismundo Sabio

Chapter 7

Debtor(s):

Shari Milen Quismundo Sabio

Represented By
Jonathan N Vaknin

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, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-13197 Victor V Hernandez

Chapter 7

#62.00 Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation

Docket 11

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

Join By Computer

Meeting URL: <https://www.zoomgov.com/j/1616936930>

Meeting ID: 161 693 6930

Password: 787729

Join By Telephone

Dial: +1 (669)254-5252 US (San Jose) or +1(646)828-7666 US (New York)

Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

CONT... Victor V Hernandez

Chapter 7

Debtor(s):

Victor V Hernandez

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**

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-13246 David P. Raslevich, II and Mindy L. Raslevich

Chapter 7

#63.00 Reaffirmation Agreement Between Debtor and TD Auto Finance LLC (2019 Tesla Model S)

Docket 14

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

Join By Computer

Meeting URL: <https://www.zoomgov.com/j/1616936930>

Meeting ID: 161 693 6930

Password: 787729

Join By Telephone

Dial: +1 (669)254-5252 US (San Jose) or +1(646)828-7666 US (New York)

Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

CONT... David P. Raslevich, II and Mindy L. Raslevich

Chapter 7

Debtor(s):

David P. Raslevich II

Represented By
Christine A Kingston

Joint Debtor(s):

Mindy L. Raslevich

Represented By
Christine A Kingston

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, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-13258 Maria Guadalupe Arevalo Rodriguez

Chapter 7

#64.00 Reaffirmation Agreement Between Debtor and American Honda Finance Corporation

Docket 10

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

Join By Computer

Meeting URL: <https://www.zoomgov.com/j/1616936930>

Meeting ID: 161 693 6930

Password: 787729

Join By Telephone

Dial: +1 (669)254-5252 US (San Jose) or +1(646)828-7666 US (New York)

Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

CONT... Maria Guadalupe Arevalo Rodriguez

Chapter 7

Debtor(s):

Maria Guadalupe Arevalo Rodriguez

Represented By
Omar Zambrano

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, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-13299 Lucina Arellano and Nicolas Canales Hernandez

Chapter 7

#65.00 Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation

Docket 18

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

Join By Computer

Meeting URL: <https://www.zoomgov.com/j/1616936930>

Meeting ID: 161 693 6930

Password: 787729

Join By Telephone

Dial: +1 (669)254-5252 US (San Jose) or +1(646)828-7666 US (New York)

Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

CONT... Lucina Arellano and Nicolas Canales Hernandez

Chapter 7

Debtor(s):

Lucina Arellano

Represented By
Oscar R Swinton

Joint Debtor(s):

Nicolas Canales Hernandez

Represented By
Oscar R Swinton

Trustee(s):

John P Pringle (TR)

Pro Se

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

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-13344 Lino Aguilar

Chapter 7

#66.00 Reaffirmation Agreement Between Debtor and WELLS FARGO AUTO

Docket 10

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

Join By Computer

Meeting URL: <https://www.zoomgov.com/j/1616936930>

Meeting ID: 161 693 6930

Password: 787729

Join By Telephone

Dial: +1 (669)254-5252 US (San Jose) or +1(646)828-7666 US (New York)

Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

CONT... Lino Aguilar

Chapter 7

Debtor(s):

Lino Aguilar

Represented By
Barry E Borowitz

Trustee(s):

John P Pringle (TR)

Pro Se

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

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-13457 Anthony Dwayne Adam Rose

Chapter 7

#67.00 Reaffirmation Agreement Between Debtor and Snap-on Credit LLC

Docket 12

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

Join By Computer

Meeting URL: <https://www.zoomgov.com/j/1616936930>

Meeting ID: 161 693 6930

Password: 787729

Join By Telephone

Dial: +1 (669)254-5252 US (San Jose) or +1(646)828-7666 US (New York)

Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

CONT... Anthony Dwayne Adam Rose

Chapter 7

Debtor(s):

Anthony Dwayne Adam Rose 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, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-13584 Cindy De Jesus Aguilar

Chapter 7

#68.00 Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation

Docket 13

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

Join By Computer

Meeting URL: <https://www.zoomgov.com/j/1616936930>

Meeting ID: 161 693 6930

Password: 787729

Join By Telephone

Dial: +1 (669)254-5252 US (San Jose) or +1(646)828-7666 US (New York)

Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

CONT... Cindy De Jesus Aguilar

Chapter 7

Debtor(s):

Cindy De Jesus Aguilar

Represented By

Marlin Branstetter

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, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-13644 Timothy Michael Ohara

Chapter 7

#69.00 Reaffirmation Agreement Between Debtor and Alaska USA Federal Credit Union

Docket 11

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

Join By Computer

Meeting URL: <https://www.zoomgov.com/j/1616936930>

Meeting ID: 161 693 6930

Password: 787729

Join By Telephone

Dial: +1 (669)254-5252 US (San Jose) or +1(646)828-7666 US (New York)

Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

CONT... Timothy Michael Ohara

Chapter 7

Debtor(s):

Timothy Michael Ohara

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**

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-13750 Gary James Soloko

Chapter 7

#70.00 Reaffirmation Agreement Between Debtor and Bank of The West

Docket 8

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

Join By Computer

Meeting URL: <https://www.zoomgov.com/j/1616936930>

Meeting ID: 161 693 6930

Password: 787729

Join By Telephone

Dial: +1 (669)254-5252 US (San Jose) or +1(646)828-7666 US (New York)

Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

CONT... Gary James Soloko

Chapter 7

Debtor(s):

Gary James Soloko

Represented By
Louis J Esbin

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, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-13900 Jeremy Michael Dean and Dolores Maria Escalante Ulloa

Chapter 7

#71.00 Reaffirmation Agreement Between Debtor and Ally Bank

Docket 9

Tentative Ruling:

All appearances for July 16, 2020 hearings on reaffirmation agreements will be via Zoom and not via Court Call. All parties participating in these hearings should use the information below to connect. This service is free of charge. You may participate using a computer or telephone.

Join By Computer

Meeting URL: <https://www.zoomgov.com/j/1616936930>

Meeting ID: 161 693 6930

Password: 787729

Join By Telephone

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Meeting ID: 161 693 6930

Password: 787729

Tentative Ruling for July 16, 2020:

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

Party Information

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

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

CONT... Jeremy Michael Dean and Dolores Maria Escalante Ulloa

Chapter 7

Debtor(s):

Jeremy Michael Dean

Represented By
Omar Zambrano

Joint Debtor(s):

Dolores Maria Escalante Ulloa

Represented By
Omar Zambrano

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, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-13925 Christian Omar Sanchez Garcia

Chapter 7

#72.00 Reaffirmation Agreement Between Debtor and Mechanics Bank

Docket 9

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Christian Omar Sanchez Garcia

Represented By
Sanaz S Bereliani

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, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-14041 Antonio Raymond Rosal De Vera

Chapter 7

#73.00 Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation

Docket 7

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Antonio Raymond Rosal De Vera

Represented By
Barry E Borowitz

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, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-14045 Carolina Manuel Dela Pena

Chapter 7

#74.00 Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation

Docket 8

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Carolina Manuel Dela Pena

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, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-14147 Rafael Dorian Green

Chapter 7

#75.00 Reaffirmation Agreement Between Debtor and NAVY FEDERAL CREDIT UNION

Docket 12

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Rafael Dorian Green

Represented By
Peter M Lively (Pro Bono)

Trustee(s):

John P Pringle (TR)

Pro Se

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

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-14148 Jacqueline M Malava

Chapter 7

#76.00 Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation

Docket 9

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jacqueline M Malava

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**

Thursday, July 16, 2020

Hearing Room 1675

10:30 AM

2:20-14436 Tony Ky Quach

Chapter 7

#77.00 Reaffirmation Agreement Between Debtor and San Diego County Credit Union

Docket 8

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Tony Ky Quach

Represented By
Jonathan J. Lo

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 21, 2020

Hearing Room 1675

10:30 AM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

#1.00 Hearing re: Motion for relief from stay
(Thomas Dahlen and Marvin Scheidt VS Debtor)

Docket 482

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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. No appearances are required on 7/21/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Zacky & Sons Poultry, LLC

Represented By
Ron Bender
Juliet Y Oh
Todd M Arnold
Lindsey L Smith
Riley C. Walter

Movant(s):

Marvin Scheidt

Represented By
Sandi M Colabianchi

Thomas Dahlen

Represented By
Sandi M Colabianchi

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

Tuesday, July 21, 2020

Hearing Room 1675

11:00 AM

2:17-21018 Prototype Engineering & Manufacturing, Inc.

Chapter 7

Adv#: 2:19-01332 Avery v. Leya Technologies, LLC et al

- #2.00** Cont'd status conference re: Plaintiff's complaint for: (1) avoidance of actual fraudulent transfers; (2) avoidance of constructive fraudulent transfers; (3) recovery of avoided transfers; (4) breach of fiduciary duty; (5) recovery of prohibited distributions; (6) unjust enrichment; (7) aiding and abetting breach of fiduciary duty; and (8) substantive consolidation of certain defendants with the debtor's estate
fr. 2/18/20, 4/14/20, 4/30/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 7/17/20. No tentative ruling on the merits. Appearances are required on 7/21/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. Instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through August 31, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance

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

Tuesday, July 21, 2020

Hearing Room 1675

11:00 AM

CONT... Prototype Engineering & Manufacturing, Inc. Chapter 7

reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Prototype Engineering &

Represented By
Carol Chow

Defendant(s):

Leya Technologies, LLC

Pro Se

Bahram Bordbar

Pro Se

Malahat Bordbar

Pro Se

Sara Bordbar

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
Carmela Pagay

Trustee(s):

Wesley H Avery (TR)

Represented By
Timothy J Yoo
Carmela Pagay
Lindsey L Smith
Irving M Gross

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

Tuesday, July 21, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01474 Avery v. Voong

#3.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential, fraudulent, unauthorized postpetition transfers; and disallowance of claim fr. 3/24/20, 4/28/20, 6/9/20

Docket 1

***** VACATED *** REASON: Cont'd from 7/21/20 to 9/29/20 at 1:30 p.m.
per stip & order entered on 7/9/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 7/17/20. Off calendar. Continued by stipulation and order to 9/29/20 at 1:30 p.m. No appearances are required on 7/21/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Kevin Voong

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, July 21, 2020

Hearing Room 1675

1:30 PM

2:18-11475 Catherine Trinh

Chapter 11

Adv#: 2:19-01506 Trinh v. Second Generation, a California corporation

#4.00 Cont'd status conference re: Complaint for: (1) declaratory relief; (2) avoidance and recovery of preferential transfer; (3) recovery of property; (4) preservation of a preferential transfer; and (5) disallowance of claim
fr. 2/11/20, 3/24/20, 5/19/20

Docket 1

***** VACATED *** REASON: Cont'd from 7/21/20 to 10/20/20 at 1:30 p.m.
per stip & order entered on 6/26/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 7/17/20. Off calendar. Continued by stipulation and order to 10/20/20 at 1:30 p.m. No appearances are required on 7/21/20.

Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

Defendant(s):

Second Generation, a California

Pro Se

Plaintiff(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, July 21, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01435 Goodrich v. Amazon Loan Services

#5.00 Cont'd status conference re: Complaint for: 1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; 2) Recovery of property pursuant to 11 U.S.C. § 550; 3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; 4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and 5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 3/3/20, 4/7/20, 6/02/20

Docket 1

***** VACATED *** REASON: Cont'd from 7/21/20 to 9/1/20 at 1:30 p.m.
per stip & order entered on 5/20/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 7/17/20. Off calendar. Continued by stipulation and order to 9/1/20 at 1:30 p.m. No appearances are required on 7/21/20.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Amazon Loan Services

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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

Tuesday, July 21, 2020

Hearing Room 1675

1:30 PM

2:18-12552 Zero Energy Contracting, Inc

Chapter 7

Adv#: 2:20-01052 Mastan, Chapter 7 Trustee v. Esc Pros, LLC

#6.00 Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers [11 U.S.C. § 547]; (2) Disallowance of Claims [11 U.S.C. § 502] (3) Recovery of Avoided Transfers [11 U.S.C. § 550]; and (4) Preserving Transfers [11 U.S.C. § 551] fr. 5/12/20

Docket 1

Tentative Ruling:

Revised and updated tentative ruling as of 7/20/20. Off calendar. The court revises its tentative ruling in light of plaintiff's filing of his motion for default judgment on 7/17/20 and of the entry of default against defendant, and thus, since the motion fo default judgment is pending, there is no useful purpose to conduct the status conference, and therefore, the court on its own motion continues the status conference to 9/29/20 at 1:30 p.m. as requested by plaintiff in his status report filed on 7/13/20. No appearances are required on 7/21/20.

Party Information

Debtor(s):

Zero Energy Contracting, Inc

Represented By
Devin Sreecharana
Andrew Harnisch
Grant Cartwright

Defendant(s):

Esc Pros, LLC

Pro Se

Plaintiff(s):

Peter J. Mastan, Chapter 7 Trustee

Represented By

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

Tuesday, July 21, 2020

Hearing Room 1675

1:30 PM

CONT... Zero Energy Contracting, Inc

Chapter 7

Meghann A Triplett

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 21, 2020

Hearing Room 1675

1:30 PM

2:18-12552 Zero Energy Contracting, Inc

Chapter 7

Adv#: 2:20-01053 Mastan, Chapter 7 Trustee v. JPMORGAN CHASE BANK, N.A.

#7.00 Cont'd status conference re: Complaint for (1) Avoidance of preferential transfers [11 U.S.C. §547]; (2) Avoidane of post-petition transfers [11 U.S.C. §549]; (3) Disallowance of claims [11 U.S.C. §502]; (4) Recovery of avoided transfers [11 U.S.C. §550]; and (5) Preserving Transfers [11 U.S.C. § 551] fr. 5/12/20

Docket 1

***** VACATED *** REASON: Cont'd from 7/21/20 to 9/29/20 at 1:30 p.m. per stip & order entered on 7/9/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 7/17/20. Off calendar. Continued by stipulation and order to 9/29/20 at 1:30 p.m. No appearances are required on 7/21/20.

Party Information

Debtor(s):

Zero Energy Contracting, Inc

Represented By
Devin Sreecharana
Andrew Harnisch
Grant Cartwright

Defendant(s):

JPMORGAN CHASE BANK, N.A.

Pro Se

Plaintiff(s):

Peter J. Mastan, Chapter 7 Trustee

Represented By
Meghann A Triplett

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 21, 2020

Hearing Room 1675

1:30 PM

2:18-12552 Zero Energy Contracting, Inc

Chapter 7

Adv#: 2:20-01057 Mastan, Chapter 7 Trustee v. Fresh Air Environmental Services, Inc.

#8.00 Cont'd status conference re: Complaint for (1) Avoidance of preferential transfers [11 U.S.C. §547]; (2) Disallowance of claims [11 U.S.C. §502]; (3) Recovery of avoided transfers [11 U.S.C. §550]; and (4) Preserving transfers [11 U.S.C. §551] fr. 5/12/20

Docket 1

***** VACATED *** REASON: Cont'd from 7/21/20 to 9/29/20 at 1:30 p.m.
per stip & order entered on 7/8/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 7/17/20. Off calendar. Continued by stipulation and order to 9/29/20 at 1:30 p.m. No appearances are required on 7/21/20.

Party Information

Debtor(s):

Zero Energy Contracting, Inc

Represented By
Devin Sreecharana
Andrew Harnisch
Grant Cartwright

Defendant(s):

Fresh Air Environmental Services,

Pro Se

Plaintiff(s):

Peter J. Mastan, Chapter 7 Trustee

Represented By
Meghann A Triplett

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 21, 2020

Hearing Room 1675

1:30 PM

2:18-12552 Zero Energy Contracting, Inc

Chapter 7

Adv#: 2:20-01058 Mastan, Chapter 7 Trustee v. Christianson Goens PLC et al

#9.00 Cont'd status conference re: Complaint for (1) Avoidance of preferential transfers [11 U.S.C. §547]; (2) Disallowance of claims [11 U.S.C. §502]; (3) Recovery of avoided transfers [11 U.S.C. §550]; and (4) Preserving transfers [11 U.S.C. §551] fr. 5/12/20

Docket 1

***** VACATED *** REASON: Cont'd from 7/21/20 to 9/29/20 at 1:30 p.m.
per stip & order entered on 7/9/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 7/17/20. Off calendar. Continued by stipulation and order to 9/29/20 at 1:30 p.m. No appearances are required on 7/21/20.

Party Information

Debtor(s):

Zero Energy Contracting, Inc

Represented By
Devin Sreecharana
Andrew Harnisch
Grant Cartwright

Defendant(s):

Christianson Goens PLC

Pro Se

Tiffany M Christianson

Pro Se

Plaintiff(s):

Peter J. Mastan, Chapter 7 Trustee

Represented By
Meghann A Triplett

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 21, 2020

Hearing Room 1675

1:30 PM

2:19-14907 Messiah Trucking, Inc.

Chapter 7

Adv#: 2:20-01086 Pringle v. Toll Global Forwarding (USA) Inc., a New York corp

#10.00 Cont'd hearing re: Motion for default judgment against defendant Toll Global Forwarding (USA), Inc.
fr. 6/16/20

Docket 10

Tentative Ruling:

Updated tentative ruling as of 7/17/20. Off calendar. The court has reviewed the joint status report stating that the parties have signed their settlement agreement which is awaiting review by the court. The court on its own motion continues the status conference to 8/18/20 at 1:30 p.m. because settlement is pending. No appearances are required on 7/21/20. Counsel for plaintiff to notify counsel for defendant of the continuance.

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. Plaintiff to lodge a proposed order within 7 days of hearing.

Appearances are optional on 6/16/20, but if appearing, counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted 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, July 21, 2020

Hearing Room 1675

1:30 PM

CONT... Messiah Trucking, Inc.

Chapter 7

Debtor(s):

Messiah Trucking, Inc.

Represented By
Lane K Bogard

Defendant(s):

Toll Global Forwarding (USA) Inc.,

Pro Se

Plaintiff(s):

John P. Pringle

Represented By
Michelle A Marchisotto

Trustee(s):

John P Pringle (TR)

Represented By
Michelle A Marchisotto

Gary Gross

Pro Se

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

Tuesday, July 21, 2020

Hearing Room 1675

1:30 PM

2:19-14907 Messiah Trucking, Inc.

Chapter 7

Adv#: 2:20-01086 Pringle v. Toll Global Forwarding (USA) Inc., a New York corp

#11.00 Cont'd status conference re: Complaint for turnover of estate's property
fr. 6/16/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 7/17/20. Off calendar. The court has reviewed the joint status report stating that the parties have signed their settlement agreement which is awaiting review by the court. The court on its own motion continues the status conference to 8/18/20 at 1:30 p.m. because settlement is pending. No appearances are required on 7/21/20. Counsel for plaintiff to notify counsel for defendant of the continuance.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report. Since the tentative ruling on the pending motion for default judgment is to grant the motion, there is no further need to conduct a status conference as it would be rendered moot upon the granting of the motion for default judgment.

Appearances are optional on 6/16/20, but if appearing, counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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

Tuesday, July 21, 2020

Hearing Room 1675

1:30 PM

CONT... Messiah Trucking, Inc.

Chapter 7

Party Information

Debtor(s):

Messiah Trucking, Inc.

Represented By
Lane K Bogard

Defendant(s):

Toll Global Forwarding (USA) Inc.,

Pro Se

Plaintiff(s):

John P. Pringle

Represented By
Michelle A Marchisotto

Trustee(s):

John P Pringle (TR)

Represented By
Michelle A Marchisotto

Gary Gross

Pro Se

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

Tuesday, July 21, 2020

Hearing Room 1675

1:30 PM

2:19-14907 Messiah Trucking, Inc.

Chapter 7

Adv#: 2:20-01089 Pringle v. Knight Logistics (Knight Transportation), an Arizo

#12.00 Cont'd status conference re: Complaint for turnover of estate's property
fr. 6/16/20

Docket 1

Tentative Ruling:

Off calendar. The court has reviewed the joint status report stating that the parties have signed their settlement agreement which is awaiting review by the court, which is now approved by the order granting the motion to approve compromise in the main bankruptcy case. The court on its own motion continues the status conference to 8/18/20 at 1:30 p.m. to allow time for the parties to submit a dispositive stipulation and proposed order for dismissal of this adversary proceeding by reason of settlement. No appearances are required on 7/21/20. Counsel for plaintiff to notify counsel for defendant of the continuance.

Party Information

Debtor(s):

Messiah Trucking, Inc.

Represented By
Lane K Bogard

Defendant(s):

Knight Logistics (Knight

Pro Se

Plaintiff(s):

John P. Pringle

Represented By
Michelle A Marchisotto

Trustee(s):

John P Pringle (TR)

Represented By
Michelle A Marchisotto

Gary Gross

Pro Se

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

Tuesday, July 21, 2020

Hearing Room 1675

1:30 PM

CONT... Messiah Trucking, Inc.

Chapter 7

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

Tuesday, July 21, 2020

Hearing Room 1675

2:00 PM

2:18-17205 Avi Cohen

Chapter 7

Adv#: 2:18-01296 Swift Financial, LLC fka Swift Financial Corporati v. Cohen

- #13.00** Defendant Avi Cohen must show cause, if any, why sanctions should not be imposed against him for failure to defend this adversary proceeding in failing to appear for the pretrial conference on June 23, 2020 including termination sanctions of striking his answer and entering default

Docket 34

Tentative Ruling:

The court has reviewed defendant's response to the order to show cause, stating that he had technical difficulties calling into the pretrial conference on 6/23/20 through CourtCall. The court is inclined to accept defendant's excuse and withdraw the order to show cause. Appearances are required on 7/21/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. Instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through August 31, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance

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

Tuesday, July 21, 2020

Hearing Room 1675

2:00 PM

CONT...

Avi Cohen

Chapter 7

reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, July 21, 2020

Hearing Room 1675

2:00 PM

2:18-17205 Avi Cohen

Chapter 7

Adv#: 2:18-01296 Swift Financial, LLC fka Swift Financial Corporati v. Cohen

- #14.00** Cont'd pretrial 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)
fr. 3/16/20, 4/28/20, 6/23/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 7/17/20. No tentative ruling on the merits. The court will discuss the pretrial statement submitted by plaintiff. Defendant needs to explain why he did not sign the pretrial statement submitted by plaintiff. The court will require the parties to meet and confer and agree to a joint pretrial statement before setting the matter for trial. The court will discuss with the parties whether the trial will be conducted by videoconference in light of the covid-19 pandemic. Appearances are required on 7/21/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. Instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone

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

Tuesday, July 21, 2020

Hearing Room 1675

2:00 PM

CONT...

Avi Cohen

Chapter 7

appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through August 31, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 6/19/20. The court has reviewed plaintiff's unilateral pretrial statement and supporting declaration. No tentative ruling on the merits. The court will discuss proceeding with the evidentiary hearing remotely by videoconferencing in light of the current pandemic and has issued an order describing proposed remote trial procedures for the hearing. Appearances are required on 6/23/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted 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, July 21, 2020

Hearing Room 1675

2:00 PM

CONT... **Avi Cohen**

Chapter 7

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, July 21, 2020

Hearing Room 1675

2:30 PM

2:18-21855 Michael Richard Shapiro

Chapter 7

Adv#: 2:19-01009 Vechery v. Shapiro

#15.00 Hearing re: Motion By Harvey Vechery, Individually and as Trustee of the Vechery Family Trust, UTD 10/9/84, and as Trustee of the Vechery Grandchildren's Trust U/A DTD 12/26/2012 for Order Extending Deadlines for Discovery from June 30, 2020 Until October 31, 2020

Docket 54

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the plaintiff's motion for order extending deadlines for discovery from 6/30/20 to 10/31/20, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants the motion for the reasons stated in the moving papers and for lack of timely written opposition. No appearances are required on 7/21/20. Counsel for plaintiff to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Michael Richard Shapiro

Represented By
Charles Shamash
Joseph E. Caceres

Defendant(s):

Michael Richard Shapiro

Represented By
Terran T Steinhart

Movant(s):

Harvey Vechery

Represented By

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

Tuesday, July 21, 2020

Hearing Room 1675

2:30 PM

CONT... **Michael Richard Shapiro**

Chapter 7

Victor A Sahn

Plaintiff(s):

Harvey Vechery

Represented By
Victor A Sahn

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, July 21, 2020

Hearing Room 1675

2:30 PM

2:19-10246 Dean Henrik Okland

Chapter 7

Adv#: 2:19-01367 Bandy et al v. Okland

#16.00 Cont'd hearing re: Plaintiff's motion for default judgment under LBR 7055-1
fr. 4/14/20

Docket 16

Tentative Ruling:

Updated tentative ruling as of 7/17/20. The court has reviewed plaintiff's unilateral status report stating that defendant has filed a notice of change of address indicating that he is now living in Georgia and that plaintiff will be filing an amended complaint. Apparently, this will mean that the pending motion for default judgment will be withdrawn pending amendment of the complaint. Appearances are required on 7/21/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. Instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through August 31, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than

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

Tuesday, July 21, 2020

Hearing Room 1675

2:30 PM

CONT...

Dean Henrik Okland

Chapter 7

the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling. Regarding plaintiff's motion for default judgment, the court has the following concerns that need to be addressed. First, because the underlying debt has not been liquidated, the court will have to determine the underlying state law tort to support the claims of nondischargeability under 11 U.S.C. 523(a)(2)(A) and (4). In re Bailey, 197 F.3d 997, 1000 (9th Cir. 1999). While the complaint alleges fraud, it does not specify the standard for fraud under appropriate state law, and the motion for default judgment does not contain any points and authority to set out the appropriate standard. Because plaintiffs are Washington state residents, and defendant was apparently a California state resident, it is not clear which state law the court should apply to determine tort liability for fraud, i.e., Washington v. California. Plaintiffs will have to set forth the appropriate legal standard under state law for their underlying fraud claims. Lu v. Liu (In re Liu), 282 B.R. 904, 907-908 (Bankr. C.D. Cal. 2002)(bankruptcy court has discretion to require a plaintiff to prove up entitlement to default judgment). Second, the amount of damages in the amount of \$972,262.03 that are requested in the motion through the declaration of plaintiff Garrett Bandy is not substantiated. There is no breakdown of how that amount is calculated, and there is no supporting documentation to show that plaintiffs parted with the funds to defendant or incurred expenses as a result of defendant's misconduct. The court will require plaintiffs to prove the amounts up with admissible evidence to establish a prima facie case for damages. In re Liu, supra. Third, the amount of damages claimed in the motion exceeds the amount alleged in the complaint of \$700,000. As a matter of fundamental fairness and due process of law, the amount awarded on default cannot exceed the prayer in the complaint. Federal Rule of Civil Procedure 54(c) ("A default judgment must

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Dean Henrik Okland

Chapter 7

not differ in kind from, or exceed in amount, what is demanded in the pleadings."); Fehlhaver v. Fehlhaver, 681 F.2d 1015, 1024-1025 (5th Cir. 1982). Strictly speaking, the prayer in the complaint does not demand a specific amount of damages, but paragraph 36 says that plaintiffs have been damaged in an amount exceeding \$700,000, but it would be fundamentally unfair to award more than what was specifically requested in the complaint. Plaintiffs can request leave to amend the complaint to seek a higher amount or be prepared to prove damages as alleged in the complaint of \$700,000.

Appearances are required on 4/14/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Dean Henrik Okland

Pro Se

Defendant(s):

Dean Henrik Okland

Pro Se

Plaintiff(s):

Garrett Bandy

Represented By
David S Hagen

Heather Foster

Represented By
David S Hagen

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CONT... Dean Henrik Okland

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Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Jeffrey S Shinbrot

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2:19-10246 Dean Henrik Okland

Chapter 7

Adv#: 2:19-01367 Bandy et al v. Okland

#17.00 Cont'd status conference re: Complaint to determine dischargeability of debt
(11 U.S.C. §§523(a)(2)(A) and 523(a)(4)
fr. 11/12/19, 3/31/20, 4/14/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 7/17/20. The court has reviewed plaintiff's unilateral status report stating that defendant has filed a notice of change of address indicating that he is now living in Georgia and that plaintiff will be filing an amended complaint. No tentative ruling on the merits. Appearances are required on 7/21/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. Instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through August 31, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance

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Dean Henrik Okland

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Party Information

Debtor(s):

Dean Henrik Okland

Pro Se

Defendant(s):

Dean Henrik Okland

Pro Se

Plaintiff(s):

Garrett Bandy

Represented By
David S Hagen

Heather Foster

Represented By
David S Hagen

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Jeffrey S Shinbrot

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2:19-25098 Kathryn Lynn Printy

Chapter 7

#18.00 Hearing re: Chapter 7 trustee's motion for an order: (1) Authorizing bidding procedures for the sale of estate property; (2) Approving the sale of real property under 11 U.S.C. § 363 free and clear of liens, claims, and encumbrances, subject to higher and better offers; and (3) Approving the form and manner of notice

Docket 45

Tentative Ruling:

Having reviewed the moving papers and noting the lack of written opposition, the court is inclined to grant the trustee's motion to approve bidding procedures for the sale of real property and to sell the property free and clear of liens, claims and encumbrances provided that the trustee provides evidence of proper service on the two of the three alleged lienholders listed in the motion based on the trustee's "analysis", Citibank West FSB and Green Tree Servicing, LLC. in order to make findings under 11 U.S.C. 363(f) (The third alleged lienholder, the County of Los Angeles, was served.). The so-called "analysis" is apparently only based on a preliminary title report of a third party title insurance company ordered by the trustee. The proof of service of the notice of motion does not list alleged lienholders Citibank West FSB and Green Tree Servicing, LLC. The FDIC BankFind webpage indicates that Citibank West FSB no longer exists and that the successor institution is Citibank, N.A. None of this is explained in the motion. Citibank is listed on the proof of service, but the San Antonio, TX address served is not the address for this entity on the FDIC BankFind webpage. Trustee has to demonstrate that the San Antonio address served for Citibank is proper. Based on the court's Google search of Green Tree Servicing, LLC, after a search on California Secretary of State Business Search webpage did not list that entity, Green Tree Servicing, LLC, is now known as Ditech Financial LLC. Also, the preliminary title report listed Ditech Financial LLC was assigned the second trust deed on 12/27/18. None of this is also explained in the motion. Ditech is listed on the proof of service, but the Pasadena, CA address served is not the address for this entity on the California Secretary of State Business Search webpage for Ditech Financial LLC. In order for the court to make proper findings of lienholders' consent based on absence of objection under 11 U.S.C. 363(f)(2), there must be evidence of proper service. Moreover, in

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Kathryn Lynn Printy

Chapter 7

order for the court to make proper findings that the sales price exceeds the aggregate amount of the liens encumbering the property, there must be proper evidence of value, but the only evidence in support of value of the liens is the trustee's "analysis" based on the hearsay evidence of the face amount of the liens in the third party preliminary title report. The lienholders did not file proofs of claim so that the court might have taken judicial notice of the amounts of the claims as evidence of value of the liens. The face amounts of the liens on the title report may or may not be current and accurate of the amount of the liens. It would help if the trustee or counsel had been in prior contact with the lienholders with respect to any lien payoff so that the court has evidence in the form of a declaration that the lienholders had knowledge of the motion and proposed sale. Obviously, the liens will have to be paid off in order to consummate the sale, but the evidence to show the aggregate amount of the liens is lacking in order to support a finding under 11 U.S.C. 363(f)(3). Otherwise, the court would approve the bidding procedures and payoff of costs of sales, including sales commissions, if the motion is granted. No tentative ruling on the good faith purchaser status of the proposed purchasers under 11 U.S.C. 363(m) because it has not been finally determined that they will be the actual purchasers because there may be an auction where overbids will be considered. In order for the court to grant the motion on 7/21/20, the trustee will have to satisfactorily address the court's concerns.

Appearances are required on 7/21/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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In order to appear for the court hearing by telephone, you will need to arrange

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Kathryn Lynn Printy

Chapter 7

to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through August 31, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Kathryn Lynn Printy

Represented By

Dennis E McGoldrick

Trustee(s):

John J Menchaca (TR)

Represented By

Aram Ordubegian

Annie Y Stoops

M Douglas Flahaut

**United States Bankruptcy Court
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2:20-12912 Tannaz Khojasteh

Chapter 7

#19.00 Hearing re: United States Trustee's 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 19

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 7/21/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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CONT... Tannaz Khojasteh

Chapter 7

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Tannaz Khojasteh

Represented By
Sevan Gorginian

Movant(s):

United States Trustee (LA)

Represented By
Kenneth G Lau

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

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2:30 PM

2:13-17409 Ayers Bath (U.S.A.), Co.,Ltd.

Chapter 7

#20.00 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. 3/31/20, 5/5/20, 7/14/20

Docket 118

Tentative Ruling:

Revised and updated tentative ruling as of 7/20/20. Since discovery as extended ended on 7/17/20, the court will set the matter for a pretrial conference. The court requests that counsel review and be thoroughly familiar with Local Bankruptcy Rule 7016-1 regarding preparation of a pretrial stipulation to be submitted for the pretrial conference. The court will discuss scheduling of the pretrial conference and will preliminarily discuss the conduct of the trial which may be remotely by videoconferencing in light of the Covid-19 pandemic. Appearances are required on 7/21/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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CONT... Ayers Bath (U.S.A.), Co.,Ltd.

Chapter 7

need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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
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Wednesday, July 22, 2020

Hearing Room 1675

11:00 AM

2:11-39746 Barbara Jo Baiz Rodriguez

Chapter 11

#1.00 Hearing re: Motion for entry of final decree and order closing case

Docket 469

Tentative Ruling:

Updated tentative ruling as of 7/20/20. No tentative ruling on the merits. Appearances are required on 7/22/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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CONT... Barbara Jo Baiz Rodriguez

Chapter 11

some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Barbara Jo Baiz Rodriguez

Represented By
Jerome S Cohen

**United States Bankruptcy Court
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Wednesday, July 22, 2020

Hearing Room 1675

11:00 AM

2:19-10119 David Lee

Chapter 11

#2.00 Cont'd status conference re: Management of chapter 11 case
fr. 9/11/19, 12/11/19, 3/11/20

Docket 1

***** VACATED *** REASON: Cont'd from 7/22/20 to 8/19/20 at 11:00 a.m.
per order entered on 6/24/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 7/17/20. Off calendar. Continued by prior order to 8/19/20 at 11:00 a.m. No appearances are required on 7/22/20.

Party Information

Debtor(s):

David Lee

Represented By
Renee E Sanders

**United States Bankruptcy Court
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Wednesday, July 22, 2020

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. 3/4/20, 4/15/20, 5/6/20

Docket 1

Tentative Ruling:

Revised and updated tentative ruling as of 7/20/20. The court will call this matter first on the calendar because counsel for the IRS, Gavin Greene, has requested priority because he has another hearing at the same time, so the parties should be ready for the hearing when the calendar begins at 11:00 a.m.

The court has reviewed debtor's status report filed on 7/15/20. The court notes that the IRS lodged an order for conversion of the Forbco Sizzler case to Chapter 7 on 7/7/20. No tentative ruling on the merits. Appearances are required on 7/22/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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CONT... Forbco Sizzler Partners, L.P.

Chapter 11

preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 5/4/20. The court has reviewed debtors' status report. No tentative ruling on the merits. Appearances are required on 5/6/20 to discuss the status of debtors' efforts to sell their assets and their tax and plan compliance, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Forbco Sizzler Partners, L.P.

Represented By
Robert E Opera
Sean A OKeefe

**United States Bankruptcy Court
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Wednesday, July 22, 2020

Hearing Room 1675

11:00 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#4.00 Cont'd hearing re: Motion for order authorizing use of cash collateral and providing adequate protection pursuant to sections 361 and 363 of the bankruptcy code fr. 5/13/20, 5/27/20, 6/24/20

Docket 125

Tentative Ruling:

Updated tentative ruling as of 7/20/20. No tentative ruling on the merits. Appearances are required on 7/22/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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Wednesday, July 22, 2020

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11:00 AM

CONT... People Who Care Youth Center, Inc. Chapter 11

the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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
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Hearing Room 1675

11:00 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#5.00 Cont'd status conference re: Post confirmation of plan
fr. 5/13/20, 5/27/20, 6/24/20

Docket 119

Tentative Ruling:

Updated tentative ruling as of 7/20/20. No tentative ruling on the merits. Appearances are required on 7/22/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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CONT... People Who Care Youth Center, Inc.

Chapter 11

hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 6/22/20. No tentative ruling on the merits. Appearances are required on 6/24/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 5/22/20. No updated tentative ruling in light of the settlement between debtor and creditor Acon regarding debtor's objection to Acon's secured claim, which will require a modification of the proposed reorganization plan either by a motion to approve compromise under FRBP 9019 or a plan supplement. Appearances are required on 5/27/20 by telephone in accordance with the procedures set forth in the tentative ruling of 5/11/20 below.

Updated and supplemental tentative ruling as of 5/12/20. The following updates and supplements the tentative ruling posted on 5/11/20: In light of debtor's second statement regarding exit financing in connection with its Chapter 11 plan, filed on 5/12/20, the hearing on plan confirmation should be continued for a short period of time in order for debtor to negotiate with the City of Los Angeles regarding the lien subordination cap in an amount that would allow plan confirmation and the exit financing with the replacement lender to go forward. The court will discuss with debtor and the parties the time needed for this purpose.

Updated tentative ruling as of 5/11/20. No tentative ruling on the merits.

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

Wednesday, July 22, 2020

Hearing Room 1675

11:00 AM

CONT... **People Who Care Youth Center, Inc.**

Chapter 11

Appearances are required on 5/13/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 4/13/20. No tentative ruling on the merits. Plan confirmation appears to be a contested matter under FRBP 9014 since there is a dispute over feasibility of the plan based on creditor Acon's objection and its related motion to dismiss as well as debtor's objection to Acon's amended claim. It seems that the court should set a schedule of pretrial proceedings for litigation of these related contested matters.

Appearances are required on 4/15/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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 22, 2020

Hearing Room 1675

11:00 AM

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**

Wednesday, July 22, 2020

Hearing Room 1675

11:00 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#6.00 Hearing re: U.S. Trustee's motion under 11 U.S.C. §1112(b)(1) to convert, dismiss or appoint a chapter 11 trustee

Docket 194

***** VACATED *** REASON: Resolved by stip & order entered on 7/8/20-
mb.**

Tentative Ruling:

Off calendar. Motion resolved by stipulation and order. No appearances are necessary.

Party Information

Debtor(s):

Raesi Group, Inc

Represented By
Lee Burrows

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, July 22, 2020

Hearing Room 1675

11:00 AM

2:17-15033 Shapphire Resources, LLC

Chapter 11

#7.00 Cont'd hearing re: Disclosure statement
fr. 6/3/20

Docket 164

***** VACATED *** REASON: Cont'd from 7/22/20 to 9/16/20 at 11:00 a.m.
per stip & order entered on 6/30/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 7/17/20. Off calendar. Continued by stipulation and order to 9/16/20 at 11:00 a.m. No appearances are required on 7/22/20.

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, July 22, 2020

Hearing Room 1675

11:00 AM

2:17-15033 Shapphire Resources, LLC

Chapter 11

#8.00 Cont'd status conference re: Management of chapter 11 case
fr. 3/25/20, 4/29/20, 6/3/20

Docket 1

***** VACATED *** REASON: Cont'd from 7/22/20 to 9/16/20 at 11:00 a.m.
per stip & order entered on 6/30/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 7/20/20. Off calendar. Continued by stipulation and order to 9/16/20 at 11:00 a.m. No appearances are required on 7/22/20.

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, July 22, 2020

Hearing Room 1675

11:30 AM

2:11-56862 Pilar Lucia Gonzalez

Chapter 11

#9.00 Hearing re: Debtor's motion for entry of order confirming avoidance of liens on debtor's real properties pursuant to entry of discharge

Docket 119

Tentative Ruling:

Debtors will need to address the concerns of the court set forth in the order setting hearing on the motion. Appearances are required on 7/22/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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

Wednesday, July 22, 2020

Hearing Room 1675

11:30 AM

CONT... Pilar Lucia Gonzalez

Chapter 11

hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Pilar Lucia Gonzalez

Represented By
Elaine Nguyen
James R Selth

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

Wednesday, July 22, 2020

Hearing Room 1675

11:30 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#9.10 Cont'd status conference re: Motion for order disallowing proof of claim no. 7-1 filed by Ghazer Zehnaly
fr. 5/6/20, 6/4/20, 6/8/20, 7/15/20

Docket 343

Tentative Ruling:

Updated tentative ruling as of 7/20/20. No tentative ruling on the merits. Appearances are required on 7/22/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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

Wednesday, July 22, 2020

Hearing Room 1675

11:30 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, July 22, 2020

Hearing Room 1675

11:30 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#9.20 Cont'd hearing re: Debtor's motion to approve and enforce settlement agreement fr. 7/8/20, 7/15/20

Docket 685

Tentative Ruling:

Updated tentative ruling as of 7/20/20. No tentative ruling on the merits. Appearances are required on 7/22/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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

Wednesday, July 22, 2020

Hearing Room 1675

11:30 AM

CONT... Sarkis Investments Company, LLC Chapter 11

hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar
Shane J Moses

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

Wednesday, July 22, 2020

Hearing Room 1675

11:30 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#9.30 Cont'd status conference re: Management of chapter 11 case
fr. 4/26/20, 6/24/20, 7/8/20, 7/15/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 7/20/20. No tentative ruling on the merits. Appearances are required on 7/22/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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

Wednesday, July 22, 2020

Hearing Room 1675

11:30 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, July 22, 2020

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.

#10.00 Cont'd hearing re: Issues raised by the disputes over the proposed scheduling order lodged by the Plan Agent, including the deletion of the proposed language of paragraph 11 of the Plan Agent's proposed scheduling order and the objections of Victor Sahn and Douglas Christmas to their further depositions for matters relating to or arising out of the New Cause of Action
fr. 4/8/20, 5/6/20, 6/24/20

Docket 689

Tentative Ruling:

Updated tentative ruling as of 7/20/20. No tentative ruling on the merits. Appearances are required on 7/22/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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

Wednesday, July 22, 2020

Hearing Room 1675

1:30 PM

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

hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Art and Architecture Books of the

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

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

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

Wednesday, July 22, 2020

Hearing Room 1675

1:30 PM

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

Brian L Davidoff
Keith Patrick Banner

Jennifer Kellen

Represented By
J. Bennett Friedman

Michael D. Smith

Represented By
Brian L Davidoff

Kamran Gharibian

Represented By
Brian L Davidoff

Daryoush Dayan

Represented By
Brian L Davidoff

Cathay Bank, a California

Represented By
Ekwan E Rhow
Elliot C Harvey Schatmeier

Jennifer Kellen

Represented By
Michael D Sobkowiak

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
Steven Thomas

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

Wednesday, July 22, 2020

Hearing Room 1675

1:30 PM

CONT...

Art and Architecture Books of the 21st Century

Stephen Sorensen

Chapter 11

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

Tuesday, August 4, 2020

Hearing Room 1675

10:30 AM

2:20-13074 Wiseman Construction Pros, Inc.

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(ALLY Bank VS Debtor)

Docket 16

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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. However, deny relief under 11 U.S.C. 362(d)(2) because movant has not shown lack of equity under 11 U.S.C. 362(g)(1) as the moving papers indicate some equity in the collateral. The 14-day waiting period under FRBP 4001(a)(3) is waived. No appearances are required on 8/4/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Wiseman Construction Pros, Inc.

Represented By
Paul M Brent

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 4, 2020

Hearing Room 1675

10:30 AM

2:20-14037 Ana Luisa Cervantes

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Financial Services Vehicle TrustVS Debtor)

Docket 10

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 8/4/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Ana Luisa Cervantes

Represented By
Alla Tenina

Movant(s):

Financial Services Vehicle Trust

Represented By
Marjorie M Johnson

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, August 4, 2020

Hearing Room 1675

10:30 AM

2:20-14364 Anita L. Ramos

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(21st Mortgage Corporation VS Debtor)

Docket 8

Tentative Ruling:

Updated tentative ruling as of 7/31/20. Deny motion for relief from stay without prejudice because the grounds asserted under 11 U.S.C. 362(d)(1) were that debtor failed to sign an agreement to reaffirm the debt secured by the collateral and debtor signed the reaffirmation agreement, which movant filed with the court on 7/14/20. Deny request for attorneys' fees for lack of legal support since stay relief proceedings are limited in nature to determine the right to stay relief and not extraneous relief. In re Griffin, 719 F.3d 1126, 1128 (9th Cir. 2013) ("A proceeding to determine eligibility for relief from a stay only determines whether a creditor should be released from the stay in order to argue the merits in a separate proceeding.") (citation omitted); see also, Local Bankruptcy Rule 4001-1(c)(4) ("A motion for relief from the automatic stay must be filed separately from, and not combined in the same document with, any other request for relief, unless otherwise ordered by the court."). Appearances are required on 8/4/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange

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

Tuesday, August 4, 2020

Hearing Room 1675

10:30 AM

CONT... Anita L. Ramos

Chapter 7

to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Anita L. Ramos

Represented By
Andrew Nguyen

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 4, 2020

Hearing Room 1675

10:30 AM

2:20-14605 David Hickman

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(First Financial Credit Union VS Debtor)

Docket 9

Tentative Ruling:

Updated tentative ruling as of 7/31/20. Service of the motion is insufficient because the proof of service does not show service on the debtor as required by Local Bankruptcy Rule 4001-1(c)(1)(C), which requires service of a stay relief motion on both debtor and debtor's counsel. Movant will need to serve on debtor an amended notice of motion at least 21 days before a renoticed hearing. Appearances are required on 8/4/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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

Tuesday, August 4, 2020

Hearing Room 1675

10:30 AM

CONT... David Hickman

Chapter 7

call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

David Hickman

Represented By
Terrence Fantauzzi

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, August 4, 2020

Hearing Room 1675

10:30 AM

2:20-14776 Kenneth Reno Bonner

Chapter 7

#5.00 Hearing re: Motion for relief from stay
(Honda Lease Trust VS Debtor)

Docket 10

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 8/4/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Kenneth Reno Bonner

Represented By
Cynthia Grande

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 4, 2020

Hearing Room 1675

10:30 AM

2:20-14988 Nathaniel Giovanni Sanchez

Chapter 7

#6.00 Hearing re: Motion for relief from stay
(Credit Union of Southern California VS Debtor)

Docket 10

***** VACATED *** REASON: Settled by stipulation per order entered on
7/17/20-mb.**

Tentative Ruling:

Off calendar. Motion settled by stipulation and order. No appearances are required on 8/4/20.

Party Information

Debtor(s):

Nathaniel Giovanni Sanchez

Represented By
Barry E Borowitz

Movant(s):

Credit Union of Southern California

Represented By
Karel G Rocha

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 4, 2020

Hearing Room 1675

10:30 AM

2:20-15086 Imperial Standard LLC

Chapter 7

#7.00 Hearing re: Motion for relief from stay
(Civic Ventures LLC VS Debtor)

Docket 9

Tentative Ruling:

Updated tentative ruling as of 8/3/20. The court updates its tentative ruling of 7/31/20 in light of debtor's opposition filed on 8/2/20 by newly retained counsel. The court realizes that counsel was newly retained, but is not sure that his proposed strategy first trying to negotiate adequate protection with the lender works because the property belongs to the Chapter 7 estate and debtor will need the cooperation and support of the trustee. Most likely, if there is value for creditors in a reorganization, debtor will need to move to convert to Chapter 11, which was counsel's fallback strategy. Appearances are required on 8/4/20 as indicated in the tentative ruling of 7/31/20.

Prior tentative ruling as of 7/31/20. Service of the moving papers is insufficient because as indicated on the proof of service, movant did not serve a judge's copy on the assigned judge as required by Local Bankruptcy Rule 5005-2(d), which rule the court will enforce. As to the merits, the court is inclined to deny relief under 11 U.S.C. 362(d)(2) because movant has not met its burden of showing debtor's lack of equity since the moving papers indicate the existence of some equity, deny the requests for extraordinary relief in paragraphs 8, 10, 11 and 14 for lack of evidentiary and/or legal support, see *In re Van Ness*, 399 B.R. 897 (Bankr. E.D. Cal. 2009) and otherwise, no tentative ruling on the merits. Appearances are required on 8/4/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in

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

Tuesday, August 4, 2020

Hearing Room 1675

10:30 AM

CONT... Imperial Standard LLC

Chapter 7

person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Imperial Standard LLC

Pro Se

Movant(s):

Civic Ventures, LLC, as attorney-in-

Represented By
Seth P Cox

Trustee(s):

John P Pringle (TR)

Pro Se

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

Tuesday, August 4, 2020

Hearing Room 1675

11:30 AM

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

#8.00 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. 4/23/20, 4/28/20, 6/16/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 7/31/20. No tentative ruling on the merits. Defendants in their objection to a remote trial asserted that they timely demanded a jury trial on claims so jury triable, but the court has not been able to locate such demand. Defendants should identify such document indicating a timely jury trial demand and indicate which claims are jury triable. The court will discuss trial scheduling with the parties. Appearances are required on 8/4/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone

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

Tuesday, August 4, 2020

Hearing Room 1675

11:30 AM

CONT... People Who Care Youth Center, Inc.

Chapter 11

before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Updated tentative ruling as of 6/12/20. No tentative ruling on the merits. The court will discuss proceeding with the trial remotely by videoconferencing in light of the current pandemic and has issued an order describing proposed remote trial procedures for the trial. Appearances are required on 6/16/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(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, August 4, 2020

Hearing Room 1675

11:30 AM

CONT... People Who Care Youth Center, Inc.

Chapter 11

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

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

Tuesday, August 4, 2020

Hearing Room 1675

1:30 PM

2:16-24760 Philip Joseph Jaurigui

Chapter 7

Adv#: 2:18-01351 Mover v. Jaurigui

#9.00 Cont'd status conference re: Complaint for nondischargeability under 11 U.S.C. §§523(a)(2)(A), 523(a)(2)(B), 523(a)(6); and objection to discharge under §§727(a)(2), 727(a)(4)
fr. 3/10/20, 5/12/20, 5/26/20

Docket 1

Tentative Ruling:

Updated and revised tentative ruling as of 8/3/20. No tentative ruling on the merits. Parties are to report on the status of the mediation before Judge Donovan. The court has been informally advised that Judge Donovan is ready to proceed with a Zoom mediation and the parties will need to contact his courtroom deputy to set up the mediation appointment. Appearances are required on 8/4/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You

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

Tuesday, August 4, 2020

Hearing Room 1675

1:30 PM

CONT... Philip Joseph Jaurigui

Chapter 7

need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 5/22/20. The court will discuss with the parties the status of the mediation with Judge Donovan, who is apparently amenable to conducting mediation by videoconferencing or telephone, perhaps through Zoom which has been used by other judges successfully for mediation. Appearances are required on 5/26/20 by telephone in accordance with the procedures set forth in the tentative ruling of 5/8/20 below.

Prior tentative ruling as of 5/8/20. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 5/12/20 to discuss the status of the adversary proceeding, including the status of the pending mediation, outstanding discovery, whether the trial can be conducted remotely by videoconferencing as opposed to in person and when a pretrial conference and other further proceedings should be set, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, August 4, 2020

Hearing Room 1675

1:30 PM

CONT... **Philip Joseph Jaurigui**
posted on the court's website.

Chapter 7

Prior tentative ruling as of 3/9/20. Continued by stipulation and order to 5/12/20 at 1:30 p.m. No appearances are required on 3/10/20.

Prior tentative ruling as of 1/13/20. The court has reviewed the joint status report. Appearances are required on 1/14/20 to discuss scheduling of pretrial conference and coordination of trial with related adversary proceeding, but counsel may appear by telephone.

Prior tentative ruling as of 9/16/19. Because the discovery cutoff date was extended to 12/31/19 and discovery is continuing to that date, the court was inclined to set a post-discovery status conference or a pretrial conference for after the discovery cutoff date. Appearances are required on 9/17/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. Appearances are required on 6/25/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/10/19. No tentative ruling on the merits. Appearances are required on 6/11/19, but counsel may appear by telephone.

Prior tentative ruling. Set a discovery cutoff date of 8/30/19 and a post-discovery status conference on 9/17/19 at 1:30 p.m. A joint status report is due on 9/10/19. Appearances are required on 1/8/19, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Philip Joseph Jaurigui

Represented By
Leonard Pena

Defendant(s):

Philip Joseph Jaurigui

Pro Se

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

Tuesday, August 4, 2020

Hearing Room 1675

1:30 PM

CONT... Philip Joseph Jaurigui

Chapter 7

Plaintiff(s):

Jonathan Mover

Represented By
Steven R Fox

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 4, 2020

Hearing Room 1675

1:30 PM

2:16-24760 Philip Joseph Jaurigui

Chapter 7

Adv#: 2:18-01352 Swing House Rehearsal and Recording, Inc. v. Jaurigui

#10.00 Cont'd status conference re: Complaint by Swing House Rehearsal and Recording, Inc. against Philip Joseph Jaurigui for nondischargeability under 11 U.S.C. §§523(A)(4) and 523(a)(6); and objection to discharge under §727(a)(4) fr. 3/10/20, 5/12/20, 5/26/20

Docket 1

Tentative Ruling:

Updated and revised tentative ruling as of 8/3/20. No tentative ruling on the merits. Parties are to report on the status of the mediation before Judge Donovan. The court has been informally advised that Judge Donovan is ready to proceed with a Zoom mediation and the parties will need to contact his courtroom deputy to set up the mediation appointment. Appearances are required on 8/4/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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

Tuesday, August 4, 2020

Hearing Room 1675

1:30 PM

CONT...

Philip Joseph Jaurigui

Chapter 7

before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 5/22/20. The court will discuss with the parties the status of the mediation with Judge Donovan, who is apparently amenable to conducting mediation by videoconferencing or telephone, perhaps through Zoom which has been used by other judges successfully for mediation. Appearances are required on 5/26/20 by telephone in accordance with the procedures set forth in the tentative ruling of 5/8/20 below.

Prior tentative ruling as of 5/8/20. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 5/12/20 to discuss the status of the adversary proceeding, including the status of the pending mediation, outstanding discovery, whether the trial can be conducted remotely by videoconferencing as opposed to in person and when a pretrial conference and other further proceedings should be set, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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

Tuesday, August 4, 2020

Hearing Room 1675

1:30 PM

CONT... Philip Joseph Jaurigui

Chapter 7

Prior tentative ruling as of 3/9/20. Off calendar. Continued by stipulation and order to 5/12/20 at 1:30 p.m. No appearances are required on 3/10/20.

Prior tentative ruling as of 1/13/20. The court has reviewed the joint status report. Appearances are required on 1/14/20 to discuss scheduling of pretrial conference and coordination of trial with related adversary proceeding, but counsel may appear by telephone.

Prior tentative ruling as of 9/16/19. Because the discovery cutoff date was extended to 12/31/19 and discovery is continuing to that date, the court was inclined to set a post-discovery status conference or a pretrial conference for after the discovery cutoff date. Appearances are required on 9/17/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. Appearances are required on 6/25/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/10/19. No tentative ruling on the merits. Appearances are required on 6/11/19, but counsel may appear by telephone.

Prior tentative ruling. Set a discovery cutoff date of 8/30/19 and a post-discovery status conference on 9/17/19 at 1:30 p.m. A joint status report is due on 9/10/19. Appearances are required on 1/8/19, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Philip Joseph Jaurigui

Represented By
Leonard Pena

Defendant(s):

Philip Joseph Jaurigui

Pro Se

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

Tuesday, August 4, 2020

Hearing Room 1675

1:30 PM

CONT... Philip Joseph Jaurigui

Chapter 7

Plaintiff(s):

Swing House Rehearsal and

Represented By
Steven R Fox

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 4, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01251 Goodrich v. Eghbali

- #11.00** Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542
fr. 3/31/20, 5/5/20, 6/30/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 7/31/20. Regarding the pending motion for default judgment, the court could not grant the motion because it was unable to find the alleged preferential transfers of \$23,334 on 11/30/17 and \$4,023 on 12/12/17 to defendant on Exhibit 3 to the motion, which was the trustee's ledger, the evidence offered in support of the preferential transfer claim and the amount of damages. In the unilateral status report filed on 7/31/20, plaintiff stated that he is withdrawing the motion for default judgment and will be filing an amended complaint. Otherwise, no tentative ruling on the merits. Appearances are required on 8/4/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone

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

Tuesday, August 4, 2020

Hearing Room 1675

1:30 PM

CONT... SOCALDEAL INC

Chapter 7

appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through August 31, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Updated tentative ruling as of 6/26/20. Off calendar. The court has reviewed plaintiff's unilateral status report, stating that he is filing a motion for default judgment, which he did on 6/16/20 pursuant to the court's notice of opportunity to object and request hearing procedure under LBR 9013-1(o), and requesting a 30 day continuance of the status conference so that the default judgment motion may be resolved. The court on its own motion continues the status conference to 8/4/20 at 1:30 p.m. No appearances are required on 6/30/20.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Michael Eghbali

Pro Se

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

Tuesday, August 4, 2020

Hearing Room 1675

1:30 PM

CONT... SOCALDEAL INC

Chapter 7

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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

Tuesday, August 4, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01258 Goodrich v. Yeftadonay

#11.10 Hearing re: Motion for entry of default judgement against defendant Jan Yaftadonay Pursuant to Federal Rule of Civil Procedure 55 as Incorporated by Federal Rule of Bankruptcy Procedure 7055 and Local bankruptcy Rule 7055-1

Docket 15

Tentative Ruling:

In the unilateral status report filed on 7/31/20, plaintiff stated that he would withdraw the motion for default judgment and will be filing and serving an amended complaint. Appearances are required on 8/4/20 to discuss scheduling of a further status conference based on plaintiff's time estimate when he will file and serve his amended complaint, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through August 31, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance

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

Tuesday, August 4, 2020

Hearing Room 1675

1:30 PM

CONT... SOCALDEAL INC

Chapter 7

reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour
Keith F Rouse

Defendant(s):

Jan Yeftadonay

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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

Tuesday, August 4, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01258 Goodrich v. Yeftadonay

#12.00 Cont'd status conference re: Complaint for: (1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; (2) Recovery of property pursuant to 11 U.S.C. § 550; (3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; (4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and (5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 1/28/20, 4/28/20, 6/30/20

Docket 1

Tentative Ruling:

See tentative ruling on matter number 11.1.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Jan Yeftadonay

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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

Tuesday, August 4, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01259 Goodrich v. Kabbage, Inc.

- #13.00** Cont'd status conference re: Complaint for: (1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; (2) Recovery of property pursuant to 11 U.S.C. § 550; (3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; (4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and (5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 1/28/20, 4/28/20, 6/30/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 7/31/20. The court has reviewed plaintiff's unilateral status report stating that he will be filing a motion to approve the settlement with defendant. Plaintiff is to report on when he expects to file his motion to approve compromise, so the court can set an appropriate date for a further status conference. Appearances are required on 8/4/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You

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CONT... SOCALDEAL INC

Chapter 7

need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 6/26/20. Off calendar. The court has reviewed plaintiff's unilateral status report, stating that he has finally received the signed settlement agreement and requesting a continuance of the status conference so that he can seek court approval. The court on its own motion continues the status conference to 8/4/20 at 1:30 p.m. No appearances are required on 6/30/20.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Kabbage, Inc.

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch

**United States Bankruptcy Court
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SOCALDEAL INC

Chapter 7

Beth Gaschen

Weiland Golden Goodrich LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
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Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01260 Goodrich v. Marganian

- #14.00** Cont'd status conference re: Complaint for: (1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; (2) Recovery of property pursuant to 11 U.S.C. § 550; (3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; (4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and (5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 1/28/20, 4/28/20, 6/30/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 7/31/20. The court has reviewed plaintiff's unilateral status report stating that he will be filing a motion for default judgment shortly. Appearances are required on 8/4/20 to discuss an appropriate date to set a further status conference, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone

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CONT... SOCALDEAL INC

Chapter 7

before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 6/26/20. Off calendar. The court has reviewed plaintiff's unilateral status report, stating that he filed a motion for default judgment on 6/16/20 pursuant to the court's notice of opportunity to object and request hearing procedure under LBR 9013-1(o) and requesting a 30 day continuance of the status conference so that the default judgment motion may be resolved. The court on its own motion continues the status conference to 8/4/20 at 1:30 p.m. No appearances are required on 6/30/20.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Shahram Marganian

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen

**United States Bankruptcy Court
Central District of California
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SOCALDEAL INC

Weiland Golden Goodrich LLP

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, August 4, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01266 Goodrich v. YAEL, LLC

#15.00 Cont'd status conference re: Complaint for: (1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; (2) Recovery of property pursuant to 11 U.S.C. § 550; (3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; (4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and (5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 1/28/20, 4/28/20, 6/30/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 7/31/20. Off calendar. Because the court has granted plaintiff's motion for default judgment, the court on its own motion continues the status conference to 9/8/20 at 1:30 p.m. pending lodging of a proposed final judgment by plaintiff. No appearances are required on 8/4/20.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

YAEL, LLC

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen

**United States Bankruptcy Court
Central District of California
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SOCALDEAL INC

Weiland Golden Goodrich LLP

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, August 4, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01280 Goodrich v. Shemtov

- #16.00** Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542
fr. 3/31/20, 5/5/20, 6/30/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 7/31/20. The court has reviewed plaintiff's unilateral status report stating that he will be filing a motion for default judgment shortly. Appearances are required on 8/4/20 to discuss an appropriate date to set a further status conference, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone

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CONT... SOCALDEAL INC

Chapter 7

before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 6/26/20. Off calendar. The court has reviewed plaintiff's unilateral status report, stating that he filed a motion for default judgment on 6/8/20 pursuant to the court's notice of opportunity to object and request hearing procedure under LBR 9013-1(o) and requesting a 30 day continuance of the status conference so that the default judgment motion may be resolved. The court on its own motion continues the status conference to 8/4/20 at 1:30 p.m. No appearances are required on 6/30/20.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Simon Shemtov

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen

**United States Bankruptcy Court
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SOCALDEAL INC

Weiland Golden Goodrich LLP

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
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Hearing Room 1675

1:30 PM

2:18-21855 Michael Richard Shapiro
Adv#: 2:19-01009 Vechery v. Shapiro

Chapter 7

#17.00 Cont'd status conference re: Complaint to determine non-dischargeability of debt under bankruptcy code section 523 fr. 7/30/19, 10/8/19, 4/28/20

Docket 1

Tentative Ruling:

Revised and updated tentative ruling as of 8/3/20. The court has reviewed plaintiff's unilateral statement for the status conference filed on 8/3/20. Apparently, the mediation has not yet been conducted. According to plaintiff in his statement, he believes that an in person mediation would be more successful than one by videoconference, but defendant is not willing to have an in person mediation in light of current pandemic conditions, suggesting that the parties be allowed to complete an in person mediation by February 2021, assuming the pandemic subsides. Since the statement was unilateral, the court will hear from both parties as to the status of the pending mediation and the scheduling of further proceedings, including whether plaintiff intends to further amend the complaint as stated in its motion to extend discovery deadlines filed on 6/30/20. Appearances are required on 8/4/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone

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Tuesday, August 4, 2020

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CONT... Michael Richard Shapiro

Chapter 7

appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 4/27/20. The court has reviewed plaintiff's unilateral status report and defendant's joinder and grants joint request to continue scheduling dates as follows: (1) discovery cutoff date extended from 3/31/20 to 6/30/20; (2) status report filing due date extended from 4/21/20 to 7/28/20; (3) status conference continued from 4/28/20 at 1:30 p.m. to 8/4/20 at 1:30 p.m.; and (4) mediation completion deadline extended from 4/28/20 to 8/4/20. Plaintiff to lodge a proposed updated scheduling order within 7 days.

Appearances are optional on 4/28/20, but counsel and self-represented parties may and should appear by telephone, if appearing. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is

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CONT... Michael Richard Shapiro
posted on the court's website.

Chapter 7

Revised tentative ruling as of 10/7/19. The court has reviewed modified joint status report. Set a discovery cutoff date of 3/31/20, and a post-discovery status conference on 4/28/20 at 1:30 p.m. with a joint status report due on 4/21/20. Defendant should address why the matter is not amenable to mediation. Appearances are required on 10/8/19, but counsel may appear by telephone.

Prior tentative ruling as of 7/29/19. No tentative ruling in light of the pending motion to dismiss the second amended complaint. The court will hear argument on the motion to dismiss at the same time as the status conference on the 1:30 p.m. calendar. Appearances are required on 7/30/19 at 1:30 p.m., but counsel may appear by telephone.

Prior tentative ruling as of 5/13/19. Appearances are required on 5/14/19, but counsel may appear by telephone.

Party Information

Debtor(s):

Michael Richard Shapiro

Represented By
Charles Shamash
Joseph E. Caceres

Defendant(s):

Michael Richard Shapiro

Pro Se

Plaintiff(s):

Harvey Vechery

Represented By
Tom Lallas
Mark D Hurwitz

Trustee(s):

Timothy Yoo (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, August 4, 2020

Hearing Room 1675

1:30 PM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

Adv#: 2:18-01375 Vance v. Zacky & Sons Poultry, LLC

#18.00 Cont'd status conference re: Class action adversary proceeding complaint [violation of Worker Adjustment and Retraining Notification Act, 29 U.S.C. §§ 2101-2109 and California Labor Code §§ 1400 et seq.]
fr. 6/25/19, 7/30/19, 8/27/19, 4/28/20

Docket 1

***** VACATED *** REASON: Cont'd from 8/4/20 to 10/27/20 at 1:30 p.m.
per stip & order entered on 7/22/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 7/31/20. Off calendar. Continued by stipulation and order to 10/27/20 at 1:30 p.m. No appearances are required on 8/4/20.

Party Information

Debtor(s):

Zacky & Sons Poultry, LLC

Represented By
Ron Bender
Juliet Y Oh
Todd M Arnold
Lindsey L Smith

Defendant(s):

Zacky & Sons Poultry, LLC

Pro Se

Plaintiff(s):

Karen Vance

Represented By
Gail L Chung
Jack A Raisner
Rene S Roupinian
Robert N Fisher

**United States Bankruptcy Court
Central District of California
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Tuesday, August 4, 2020

Hearing Room 1675

1:30 PM

2:19-10246 Dean Henrik Okland

Chapter 7

Adv#: 2:19-01410 Dorfman v. Okland

#19.00 Cont'd status conference re: Complaint to determine dischargeability of debt (11 U.S.C. §§523(a)(2)(A) and 523(a)(4) fr. 11/19/19, 3/31/20, 5/26/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 7/31/20. Off calendar. The court has reviewed plaintiff's unilateral status report stating that he is preparing to file a motion for default judgment, but the gathering of documents in support thereof is taking longer than anticipated in light of the current situation, though he is hopeful that the motion can be filed within 60 days. Based on these representations, the court on its own motion continues the status conference to 10/27/20 at 1:30 p.m. to allow time for plaintiff to finish his preparation of a motion for default judgment. No appearances are required on 8/4/20.

Prior tentative ruling as of 5/22/20. Appearances are required on 5/26/20 to discuss the status of plaintiff's motion for default judgment and when other further proceedings should be set, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/20/20. Off calendar. The court has reviewed plaintiff's unilateral status report filed on 3/16/20, stating that he will be filing a motion for default judgment shortly. The court on its own motion continues

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CONT...

Dean Henrik Okland

Chapter 7

the status conference for about 60 days to 5/26/20 at 1:30 p.m. to allow time for plaintiff to prepare and file his motion for default judgment. No appearances are required on 3/31/20.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report. Set a discovery cutoff date of 2/28/20, and a post-discovery status conference on 3/31/20 at 1:30 p.m. with a joint status report due on 3/24/20. These dates will likely be moot if a motion for default judgment is filed and ruled upon in the meantime. Appearances are optional on 11/19/19, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Dean Henrik Okland

Pro Se

Defendant(s):

Dean Henrik Okland

Pro Se

Plaintiff(s):

Chuck Dorfman

Represented By
David S Hagen

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Jeffrey S Shinbrot

**United States Bankruptcy Court
Central District of California
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Tuesday, August 4, 2020

Hearing Room 1675

1:30 PM

2:19-10596 Robert David Katz

Chapter 11

Adv#: 2:19-01217 Katz et al v. Bank of America Corporation, a Delaware corporatio

#20.00 Cont'd status conference re : Complaint for: (1) Avoidance of Preferential Transfers;
(2) Recovery of Preferential Transfers; (3) Preservation of Avoided Transfers; and
(4) Disallowance of Claims
fr. 12/17/19, 2/18/20, 4/28/20

Docket 1

***** VACATED *** REASON: Dismissed per order entered on 7/10/20-mb.**

Tentative Ruling:

Off calendar. The status conference is moot because the adversary proceeding has been dismissed. No appearances are necessary.

Party Information

Debtor(s):

Robert David Katz

Represented By
Mark M Sharf
Ori S Blumenfeld

Defendant(s):

Bank of America Corporation, a

Pro Se

BANK OF AMERICA

Pro Se

Bank of America, N.A., a National

Represented By
Ethan Schatz
E. Christine Hehir

Joint Debtor(s):

Roslyn Soudry Katz

Represented By
Mark M Sharf
Ori S Blumenfeld

Plaintiff(s):

Roslyn Soudry Katz

Represented By
Victor A Sahn

**United States Bankruptcy Court
Central District of California
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Tuesday, August 4, 2020

Hearing Room 1675

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CONT...

Robert David Katz

Chapter 11

Cathy Ta

Robert David Katz

Represented By
Victor A Sahn
Cathy Ta

**United States Bankruptcy Court
Central District of California
Los Angeles
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Courtroom 1675 Calendar**

Tuesday, August 4, 2020

Hearing Room 1675

1:30 PM

2:19-23924 Raymond John Khamo

Chapter 7

Adv#: 2:20-01101 MENCHACA v. Vargas

#21.00 Cont'd status conference re: Complaint for (1) sale of property owned in part by non-debtor [11 U.S.C. § 363(h)]; and (2) turnover of estate's property [11 U.S.C. §542] fr. 6/16/20

Docket 1

***** VACATED *** REASON: Cont'd from 8/4/20 to 9/29/20 at 1:30 p.m.
per stip & order entered on 7/27/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 7/31/20. Off calendar. Continued by stipulation and order to 9/29/20 at 1:30 p.m. No appearances are required on 8/4/20.

Party Information

Debtor(s):

Raymond John Khamo

Represented By
Sam Benevento

Defendant(s):

Ann Marie Vargas

Pro Se

Plaintiff(s):

JOHN J MENCHACA

Represented By
Toan B Chung

Trustee(s):

John J Menchaca (TR)

Represented By
Toan B Chung

**United States Bankruptcy Court
Central District of California
Los Angeles
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Courtroom 1675 Calendar**

Tuesday, August 4, 2020

Hearing Room 1675

1:30 PM

2:20-10114 Refugio Vasquez

Chapter 7

#22.00 Order to show cause why the case should not be dismissed for failure to pay the filing fee in full or closed without discharge for nonpayment of the filing fee

Docket 12

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 8/4/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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1:30 PM

CONT... Refugio Vasquez

Chapter 7

operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Refugio Vasquez

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 4, 2020

Hearing Room 1675

1:30 PM

2:20-12202 Richard Ochoa Telles

Chapter 7

Adv#: 2:20-01137 Sluggett v. Telles

#23.00 Status conference re: Complaint to determine non-dischargeability of debt under Section 523(a)(4) of the bankruptcy code and for denial of discharge under Section 727(a)(4)(A) of the bankruptcy code

Docket 1

Tentative Ruling:

Set a discovery cutoff date of 11/30/20 and a post-discovery status conference on 12/8/20 at 1:30 p.m. Parties will be asked why the matter should not be referred to mediation, why the trial estimate is three days per side since the direct testimony of nonadverse, cooperative witnesses will be presented by declaration, and why trial should be delayed pending the sale of estate assets. In this regard, the court notes that the trustee has filed a motion to sell estate artworks in the main bankruptcy case set for hearing on 8/11/20 at 2:30 p.m. Plaintiff is to lodge a proposed scheduling order after the status conference.

Party Information

Debtor(s):

Richard Ochoa Telles

Represented By
Daniela P Romero

Defendant(s):

Richard Ochoa Telles

Pro Se

Plaintiff(s):

Ryan Sluggett

Represented By
Aimee Scala

Trustee(s):

Elissa Miller (TR)

Represented By
Steven Werth

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

Tuesday, August 4, 2020

Hearing Room 1675

2:00 PM

2:18-12224 Raesi Group, Inc

Chapter 11

#24.00 Order to show cause why debtor and/or its attorney Lee Burrows should not be sanctioned for failure to appear at the June 10, 2020 status conference

Docket 190

Tentative Ruling:

Updated tentative ruling as of 7/31/20. The court has reviewed the counsel declaration in response to the order to show cause, and reviewed the audio file of the status conference on 3/4/20, wherein the court orally set the further status conference on 6/10/20 near the end of the status conference. No tentative ruling on the merits. Appearances are required on 8/4/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the

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scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Raeisi Group, Inc

Represented By
Lee Burrows

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2:18-12224 Raesi Group, Inc

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#25.00 Cont'd pretrial conference re: Objection to claim number 4 by claimant US Bank National Association as Trustee for Velocity Commercial Capital Loan Trust 2014-1 fr. 3/4/20, 4/15/20, 6/3/20

Docket 115

Tentative Ruling:

Updated tentative ruling as of 7/31/20. The court will further discuss with the parties scheduling of the trial. In light of the current surge of coronavirus cases in the area, as a precaution, the court is inclined to conduct the trial remotely by videoconferencing on Zoom and will set a technical pretrial conference to test the technical capabilities of the parties. Appearances are required on 8/4/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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Raesi Group, Inc

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reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 5/28/20. No tentative ruling on the merits. The court will discuss proceeding with the evidentiary hearing remotely by videoconferencing in light of the current pandemic and has issued an order describing proposed remote trial procedures for the hearing. Appearances are required on 6/3/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 4/13/20. The court will call this matter first on the 11:00 a.m. calendar because this matter should not take much time to discuss as the other matters on calendar will be somewhat lengthy, and counsel should appear promptly at 11:00 a.m. to be heard, or otherwise, they might have to wait a long time for their matter to be heard, perhaps past noon.

In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and

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the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the chief judge of the United States District Court for the Central District of California issued an Order of the Chief Judge No. 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court cannot conduct an in person trial in the courtroom until at least May 1, 2020. Moreover, the County of Los Angeles and City of Los Angeles have issued public health orders prohibiting public and private gatherings in their jurisdictions until at least April 19, 2020, which are likely to be extended, which orders may apply to the trial. The court schedules the status conference on 4/7/20 to discuss with the parties how a trial in the matter may be conducted and when possibly it can be scheduled. Given the current surge of coronavirus cases in the court and in the state and the need for appropriate social distancing, it would probably be prudent not to schedule so soon. In this court's view, a trial will not be scheduled earlier than 6/1/20. A court committee is being appointed to consider the conduct of video evidentiary hearings, but whether this is technically feasible and legally proper has not yet determined for this court yet.

Appearances are required on 4/15/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/20/20. Off calendar. In light of the rapidly

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developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion must and does vacate the evidentiary hearing for the contested matter of Debtor's objection to Claim No. 4 of U.S. Bank National Association as Trustee for Velocity Commercial Capital Loan Trust 2014-1 in this bankruptcy case scheduled for April 22, 2020 at 9:00 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012 because in person appearances are not permitted in the courthouse on that date. No appearances are required on April 22, 2020 at 9:00 a.m. as the evidentiary hearing on that date is vacated.

The court further on its own motion sets a status conference in this contested matter on April 15, 2020 at 11:00 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012. The purpose of the status conference is to discuss rescheduling the evidentiary hearing on the claim objection. Because the Roybal Federal Building is closed to the public on April 15, 2020 by the aforementioned order of the United States District Court, the parties to this contested matter and their counsel must appear telephonically at the status conference in accordance with the court's telephone appearance procedures posted online on the court's website.

Prior tentative ruling as of 3/9/20. Off calendar. The court vacated the hearing on 3/11/20 after resetting the matter for trial on 4/22/20 at 9:00 a.m. No appearances are required on 3/11/20.

Prior tentative ruling as of 1/16/20. Off calendar. Continued by stipulation and order to 2/28/20 at 10:00 a.m. No appearances are required on 1/17/20.

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Prior tentative ruling as of 11/13/19. Off calendar. Evidentiary hearing on 11/15/19 vacated by order entered on 11/13/19, and telephonic status conference is set for 11/26/19 at 1:30 p.m. to reschedule evidentiary hearing if the parties are unable to stipulate to a continued hearing date and time. No appearances are required on 11/15/19.

Revised tentative ruling as of 10/2/19. Off calendar. Continued by stipulation and order to 11/15/19 at 9:00 a.m. No appearances are required on 10/4/19.

Prior tentative ruling as of 7/29/19. No tentative ruling on the merits. Appearances are required on 7/31/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. No tentative ruling on the merits. Appearances are required on 6/26/19.

Prrior tentative ruling. Treat the motion objecting to claim as a contested matter under FRBP 9014 and set a schedule of pretrial proceedings, including discovery, since there are disputed issues of material fact. Parties should confer regarding an appropriate schedule if they can. Appearances are required on 5/8/19, but counsel may appear by telephone.

Creditor may be entitled to its claim for attorneys' fees under 11 U.S.C. 506(b) pursuant to contract based on its loan agreement secured by deed of trust, which were upheld as valid in the state court litigation. The four elements for a claim under 11 U.S.C. 506(b) are: (1) its claim is an allowed secured claim; (2) it is an oversecured creditor; (3) the fees it asserts are reasonable; and (4) the fees it asserts are provided for under an agreement under which such claim arose, or the fees are provided for under a state statute under which the creditor's claim arose. In re Astle, 364 B.R. 735, 741 (Bankr. D. Idaho 2007). The claim is an allowed secured claim based on the state court judgment, though the judgment is on appeal. The creditor is an oversecured creditor, which is not in dispute. The reasonableness of the fees it asserts is in material dispute. Creditor has only submitted redacted versions of its counsel's fee statements, which do not provide sufficient information for the court to review for reasonableness. Creditor must file unredacted versions, or submit unredacted versions in camera with a privilege log if creditor claims

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that the reacted matter is privileged. Debtor as the objecting party must carry its burden of explaining what in the fee statements are unreasonable or at least what would be reasonable under the circumstances. In re Koncicky, 2007 WL 7540997 (9th Cir. BAP 2007)(unpublished memorandum opinion) (citation omitted). Debtor has the responsibility to challenge the information and provide evidence controverting that produced by creditor. Id. Debtor has not met this burden. The fees that creditor asserts are provided by the loan agreement between it and its borrower providing for reasonable attorneys' fees if it incurs or pays to maintain, protect or enforce its rights under the loan agreement as secured by the deed of trust. Exhibits A and C to Favela Declaration. Case law in California allows such fees to be added to the balance under the promissory note secured by trust deed. Chacker v. JPMorgan Chase Bank, N.A., 27 Cal.App.5th 351, 356-358 (2018). However, there is no separate award of attorneys' fees authorized by statute, such as California Civil Code 1717 because debtor is not a signatory to the contract in the loan agreement and creditor has not otherwise shown that it would have been liable for the fees of the opposing party if the opposing party had prevailed. Asphalt Professionals, Inc. v. Davis (In re Davis), 595 B.R. 818, 837 (Bankr. C.D. Cal. 2019), citing, Dell Merk, Inc. v. Franzia, 132 Cal.App.4th 443, 441 (2005). Thus, creditor will need to submit fully unredacted copies of its fee statements to the court, and debtor will need to explain what in the fee statements are unreasonable and/or produce evidence showing that the fees are unreasonable.

Party Information

Debtor(s):

Raesi Group, Inc

Represented By
Christopher P Walker

Movant(s):

Raesi Group, Inc

Represented By
Christopher P Walker

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2:18-12224 Raesi Group, Inc

Chapter 11

#26.00 Cont'd status conference re: Post confirmation of chapter 11 plan
fr. 2/19/20, 3/4/20, 6/10/20

Docket 82

Tentative Ruling:

Updated tentative ruling as of 7/31/20. No tentative ruling on the merits. Appearances are required on 8/4/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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Raeisi Group, Inc

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demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 6/8/20. No tentative ruling on the merits. The court will conduct the status conference in case that the United States Trustee or another party in interest has concerns regarding status. Appearances are required on 6/10/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Raeisi Group, Inc

Represented By

Christopher P Walker

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2:19-20416 Susie L Wong

Chapter 7

#27.00 Cont'd hearing re: Amended motion to avoid lien under 11 U.S.C. §522(f) (real property) with Sequoia Concepts, Inc. dba Sequoia Financial Services fr. 5/26/20

Docket 54

Tentative Ruling:

Updated tentative ruling as of 7/31/20. The court will discuss with counsel the status of the appraiser jointly selected by the parties and appointed by the court. The court intends to set a further status conference in order for the parties with sufficient time for the parties to review and consider the appraisal report and then to discuss scheduling an evidentiary hearing if the parties are unable to consensually resolve the matter. No tentative ruling on the merits. Appearances are required on 8/4/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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Susie L Wong

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before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling. Treat the amended motion to avoid lien of Creditor Sequoia Concepts, Inc., as a contested matter under FRBP 9014 because there are disputed issues of material fact regarding valuation of the subject property and the liens attached thereto. The parties have filed evidence of conflicting valuation of the subject property at \$740,000 based on the declaration of a real estate broker for Debtor and \$945,000 based on a declaration of real estate broker for Creditor. The value of the property at \$770,000 based on the trustee's "acceptance" of an offer to sell the property based on the trustee's declaration filed on 1/8/20 is not conclusive because there has been no sale of the property to deem that value as the fair market value of the property for purpose of Debtor's lien avoidance motion as no motion for sale has been filed by the trustee. There are also factual issues regarding the value of the unavoids liens on the property. The first lien of Encore is valued at \$366,799.14 based on a notice of trustee's sale dated 8/6/19 attached as Exhibit 4 to the amended motion, which value does not appear to be in dispute. The second lien of Oxford Property, LLC is valued at \$110,000 based on the stipulation between the trustee and Oxford fixing the value of the lien, though Debtor asserts the value in the motion to be \$200,090, which was disputed by the trustee, leading to the settlement between trustee and Oxford. The court is of the view that the value of Oxford's lien is the \$110,000 which was the agreed value between it and the trustee, though Debtor might disagree, which may raise a disputed issue of material fact. The value of the California Franchise Tax Board liens is \$29,069.15, which is the value of its secured claim on its proof of claim filed in

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this case. However, Debtor asserts that the Franchise Tax Board liens should be valued at \$12,144.89, \$14,440.62 and \$19,208.07, totaling \$45,793.58, which may present a disputed issue of material fact. The value of the Internal Revenue Service liens is \$180,817.59, which is the value of its secured claim on its proof of claim filed in this case. However, Debtor asserts that the IRS liens should be valued at \$63,204.00, \$116,383.14 and \$22,351.77, totaling \$201,938.91, which may present a disputed issue of material fact. In the court's view, the values of the taxing authorities' liens stated on the proofs of claim should be the values for purposes of the motion because the proofs of claim are what the claimants assert are their claims on the petition date and are prima facie evidence of the validity and amount of the claims pursuant to Federal Rule of Bankruptcy Procedure 3001(f). There is no evidence that rebuts the prima facie correctness of the filed proofs of claim of the FTB and IRS. The court's computation of the unavowed liens of Encore (\$366,799.14), Oxford (\$110,000), FTB (\$29,069.15) and IRS (\$180,817.59), which total \$686,685.88. Adding Debtor's claim of \$175,000 as her homestead exemption yields a total of \$861,168.88, which would indicate no available equity for Sequoia's lien to attach if the value of the property is \$740,000, but available equity of \$83,831.12 if the value of the property is \$945,000 which is sufficient for Sequoia's lien valued at \$21,840.46 to attach. The amount of available equity for Sequoia's lien would be increased if the court accords credence to Debtor's assertions in her declaration that she is an "innocent spouse" not responsible for her late husband's tax liabilities, so that presumably, she is not liable for his tax liabilities, and thus, the property is not subject to his tax liens, which would apparently mean that the tax lien amounts should not be considered in determining available equity for Sequoia's lien to attach. Debtor's assertions that she is not liable for the taxes may also raise a disputed issue of material fact in valuing the unavowed liens against the property (if the court disregards the tax liens, then under either valuation, there is sufficient equity for Sequoia's lien to attach). The conflicting valuation evidence raises disputed issues of material fact that generally requires an evidentiary hearing because the court has to make credibility determinations as to the valuation opinions. The parties could call their valuation witnesses as witnesses at a hearing, and they may want to take discovery as the broker for Creditor has not inspected the property, and

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the court can make a determination after hearing their testimony, or the parties could waive their right to an evidentiary hearing, and the court can decide valuation, and the motion, on the papers, or the parties could stipulate to what this court would call the Judge Zurzolo method of valuation that the court appoints an independent appraiser to value the property, and the parties split the cost of the fees for the court appointed expert pursuant to Federal Rule of Evidence 706. The court cannot decide the motion on the papers without an evidentiary hearing unless both parties consent to waive their right to an evidentiary hearing.

Appearances are required on 5/26/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Susie L Wong

Represented By
Chi L Ip

Movant(s):

Susie L Wong

Represented By
Chi L Ip

Susie L Wong

Represented By
Chi L Ip

Susie L Wong

Represented By
Chi L Ip

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Trustee(s):

David M Goodrich (TR)

Pro Se

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2:13-17409 Ayers Bath (U.S.A.), Co.,Ltd.

Chapter 7

#27.10 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. 5/5/20, 7/14/20, 7/21/20

Docket 118

Tentative Ruling:

Updated tentative ruling as of 7/31/20. Since discovery as extended ended on 7/17/20, the court will set the matter for a pretrial conference. The court requests that counsel review and be thoroughly familiar with Local Bankruptcy Rule 7016-1 regarding preparation of a pretrial stipulation to be submitted for the pretrial conference. The court will discuss scheduling of the pretrial conference and will preliminarily discuss the conduct of the trial which may be remotely by videoconferencing in light of the Covid-19 pandemic. Appearances are required on 8/4/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. Instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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CONT... Ayers Bath (U.S.A.), Co.,Ltd.

Chapter 7

need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, August 4, 2020

Hearing Room 1675

2:30 PM

2:14-17378 Phillip P Garcia and Misty M Garcia

Chapter 7

#28.00 Hearing re: Objection to proofs of claim of the Novak Law Firm, P.C., claim nos. 3-1 and 3-2

Docket 30

Tentative Ruling:

The trustee's objection to creditor's claim, 3-1 and 3-2, appears to be moot by the filing of amended claim, 3-3, by creditor, apparently to address the grounds for the objection. See *In re International Horizons, Inc.*, 751 F.2d 1213, 1216 (11th Cir. 1985) ("In a bankruptcy case, amendment to a claim is freely allowed where the purpose is to cure a defect in the claim as originally filed, to describe the claim with greater particularity or to plead a new theory of recovery on the facts set forth in the original claim.") (citations omitted). To the extent that the trustee objects to creditor's amended claim, treat as a contested matter under FRBP 9014 since there are disputed issues of material fact, particularly, regarding the validity and amount of the claim which may be dependent on the outcome of a future motion of the trustee to approve compromise with an employment dispute involving the debtor (the amount of the reasonable contingency fee, if awarded on contingency, the allocation between prepetition and postpetition services, the impact of the lack of employment authorization for postpetition services, the reasonableness of the fees if lodestar fees are awardable).

Appearances are required on 8/4/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by

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

Tuesday, August 4, 2020

Hearing Room 1675

2:30 PM

CONT... Phillip P Garcia and Misty M Garcia

Chapter 7

telephone and will not be permitted to appear in the courtroom.

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Prior tentative ruling as of 6/8/20. No tentative ruling on the merits. The court will conduct the status conference in case that the United States Trustee or another party in interest has concerns regarding status. Appearances are required on 6/10/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, August 4, 2020

Hearing Room 1675

2:30 PM

**CONT... Phillip P Garcia and Misty M Garcia
website.**

Chapter 7

Party Information

Debtor(s):

Phillip P Garcia

Represented By
Lauren Rode

Joint Debtor(s):

Misty M Garcia

Represented By
Lauren Rode
Sean M Novak

Trustee(s):

Wesley H Avery (TR)

Represented By
Alan I Nahmias
Scott H Noskin

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

Tuesday, August 4, 2020

Hearing Room 1675

2:30 PM

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

Chapter 11

#29.00 Hearing re: Motion to pursuant to Local Bankruptcy Rule 2090-1(a)(1) to withdraw as counsel

Docket 694

Tentative Ruling:

No tentative ruling as of 7/31/20. Appearances are required on 8/4/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, August 4, 2020

Hearing Room 1675

2:30 PM

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

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 6/8/20. No tentative ruling on the merits. The court will conduct the status conference in case that the United States Trustee or another party in interest has concerns regarding status. Appearances are required on 6/10/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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, August 4, 2020

Hearing Room 1675

2:30 PM

2:17-20048 Gregorio Acosta

Chapter 7

#30.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Sam S. Leslie, Chapter 7 Trustee]

Docket 24

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the trustee's final report and fee application, the court determines that oral argument on the final report and fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final report and fee application, rules on the final report and fee application on the papers, and approves the final report and fee application for the reasons stated in the final report and fee application and for lack of timely written opposition. No appearances are required on 8/4/20. Trustee to lodge a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Gregorio Acosta

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, August 4, 2020

Hearing Room 1675

2:30 PM

2:17-24993 Mary Katherine Cummins-Cobb

Chapter 7

Adv#: 2:18-01066 Khionidi v. Cummins-Cobb

#31.00 Hearing re: Defendant's motion for contempt of court order

Docket 169

***** VACATED *** REASON: Off Calendar per Order Entered 7/24/20-eg.**

Tentative Ruling:

Off calendar. Motion vacated by order entered on 7/24/20. No appearances are required on 8/4/20.

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, August 4, 2020

Hearing Room 1675

2:30 PM

2:18-13057 Anna J Bowes and Tracy Steven Bowes

Chapter 7

#32.00 Cont'd hearing re: Trustee's final report and account;
Application for fees and expenses
[David M. Goodrich, Chapter 7 Trustee]
fr. 6/30/20

Docket 78

***** VACATED *** REASON: Withdrawn per order entered on 7/17/20-
mb.**

Tentative Ruling:

Updated tentative ruling as of 7/31/20. Off calendar. Trustee's final report and account withdrawn by stipulation and order. No appearances are required on 8/4/20.

Party Information

Debtor(s):

Anna J Bowes

Represented By
Roxanne Bonar

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
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Tuesday, August 4, 2020

Hearing Room 1675

2:30 PM

2:18-13057 Anna J Bowes and Tracy Steven Bowes

Chapter 7

#33.00 Cont'd hearing re: Application for fees and expenses
[Law APC Offices of Wesley H. Avery, Attorney for Chapter 7 Trustee]
fr. 6/30/20

Docket 72

***** VACATED *** REASON: Withdrawn per order entered on 7/17/20-
mb.**

Tentative Ruling:

Updated tentative ruling as of 7/31/20. Off calendar. Final fee application of attorney for trustee withdrawn by stipulation and order. No appearances are required on 8/4/20.

Party Information

Debtor(s):

Anna J Bowes

Represented By
Roxanne Bonar

Trustee(s):

David M Goodrich (TR)

Represented By
Wesley H Avery

**United States Bankruptcy Court
Central District of California
Los Angeles
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Courtroom 1675 Calendar**

Tuesday, August 4, 2020

Hearing Room 1675

2:30 PM

2:18-20432 Don Gonzalez

Chapter 7

Adv#: 2:18-01432 Swift Financial, LLC v. Gonzalez

#34.00 Cont'd hearing re: Plaintiff's motion for default judgment under LBR 7055-1
fr. 3/24/20, 4/28/20, 6/2/20

Docket 23

Tentative Ruling:

Further revised and updated tentative ruling as of 8/3/20. The court is inclined to grant the motion on the 11 U.S.C. 727(a)(5) claim for the reasons stated in the moving papers and for lack of timely written opposition. As to the claims under 11 U.S.C. 523(a)(2) and 11 U.S.C. 523(a)(6) based on conduct covered by 11 U.S.C. 523(a)(2), it appears that plaintiff could substantiate claims based on statements respecting debtor's financial condition covered under 11 U.S.C. 523(a)(2)(B) and/or other fraud not respecting debtor's financial condition covered by 11 U.S.C. 523(a)(2)(A), i.e., the implicit promise to repay the debt from signing the loan agreement, but circumstances indicating no good faith intent to repay. Plaintiff in last supplemental points and authorities argues only 11 U.S.C. 523(a)(2)(A), though some of the grounds based on statements respecting financial condition may be 11 U.S.C. 523(a)(2)(B), which is pleaded in the complaint, but should be clarified at the hearing.. See Lamar, Archer & Cofrin, LLP v. Appling, 138 S.Ct. 1752 (2018). As to the claim under 11 U.S.C. 523(a)(4), the court suggested that the evidence relying upon deemed admissions to allegations of the amended complaint, paragraphs 32-36, and requests for admissions nos. 5, 9, 10, 20, 21 and 25 as contended in the supplemental points and authorities, ECF 34-3 at 9, filed on 5/1/20, did not substantiate the claim of embezzlement or conversion of alleged collateral. No tentative ruling as to this claim as plaintiff will need to identify the evidence that shows embezzlement or conversion of alleged collateral. As to the claim under 11 U.S.C. 523(a)(3), the motion did not seek default judgment on that claim, and if the court otherwise grants the motion, is plaintiff voluntarily dismissing that claim, or should the court set that claim for further proceedings, such as a further motion for default judgment or trial? The same is true if the court does not grant the motion as to the claim under 11 U.S.C. 523(a)(4). Appearances are required on 8/4/20, but counsel and

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, August 4, 2020

Hearing Room 1675

2:30 PM

CONT... Don Gonzalez

Chapter 7

self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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Prior tentative ruling as of 6/8/20. No tentative ruling on the merits. The court will conduct the status conference in case that the United States Trustee or another party in interest has concerns regarding status. Appearances are required on 6/10/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease

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CONT...

Don Gonzalez

Chapter 7

(COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Revised and updated tentative ruling as of 5/28/20. The court makes several preliminary observations regarding the moving papers: (1) the motion relies upon defendant's failure to respond to requests for admissions, but the circumstances of service of the requests for admission and defendant's failure to respond are not adequately described in the supporting declaration and there does not appear to be a copy of a proof of service in the moving papers (the discovery requests were identified as Exhibit B, but were placed out of order in the papers before Exhibit A; there was no proof of service of these documents in the moving papers); (2) the motion contends for the claims under 11 U.S.C. 523(a)(2) that defendant made fraudulent misrepresentations on his loan application to plaintiff as shown by his statement of financial affairs, but the moving papers do not include copies of the loan application or the statement of financial affairs; (3) the motion contends for the claims under 11 U.S.C. 523(a)(4) that defendant embezzled or committed larceny of certain loan collateral pledged to plaintiff, but the moving papers do not sufficiently substantiate what specific loan collateral was embezzled or stolen; (4) the motion contends for the claim under 11 U.S.C. 727(a)(5) that defendant failed to explain the loss or deficiency of assets to meet his liabilities, but the moving papers do not sufficiently substantiate the circumstances of his failure to explain based on the supporting declaration that conclusorily states that there were discussions; (5) it appears that the circumstances indicate some type of fraud as shown by a credit bustout that may show a prima facie case for the claims under 11 U.S.C. 523(a)(2) and (6), that is, based on common law fraud under state law, but the moving papers need to show that the elements of fraud to establish an underlying state law tort claim, which is not discussed in

**United States Bankruptcy Court
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2:30 PM

CONT...

Don Gonzalez

Chapter 7

the moving papers; (6) if plaintiff is able to establish a claim under 11 U.S.C. 523, does plaintiff intend to also proceed with its claim under 11 U.S.C. 727(a) (5), which appears to be insufficient on this record. Appearances are required on 6/2/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues the hearing on Plaintiff's Motion for Default Judgment, Docket No. 23, in this adversary proceeding and the status conference scheduled for March 24, 2020 at 2:30 p.m. The court on its own motion continues the hearing on the motion and the status conference to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearing on the motion and the status conference are continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Party Information

Debtor(s):

Don Gonzalez

Pro Se

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

Tuesday, August 4, 2020

Hearing Room 1675

2:30 PM

CONT... Don Gonzalez

Chapter 7

Defendant(s):

Don Gonzalez

Pro Se

Plaintiff(s):

Swift Financial, LLC

Represented By
Daren M Schlecter

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 4, 2020

Hearing Room 1675

2:30 PM

2:18-20432 Don Gonzalez

Chapter 7

Adv#: 2:18-01432 Swift Financial, LLC v. Gonzalez

#35.00 Cont'd 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 neither listed nor scheduled and known to debtor (11 U.S.C. §523(a)(3); 4) debts incurred through conversion under 11 U.S.C. § 523(a)(4); 5) debts incurred through willful and malicious injury to property under 11 U.S.C. §523(a)(6); 6) objection to discharge under 11 U.S.C. §727(a)(5) fr. 2/4/20, 3/24/20, 4/28/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 7/31/20. No tentative ruling on the merits. Appearances are required on 8/4/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, August 4, 2020

Hearing Room 1675

2:30 PM

CONT...

Don Gonzalez

Chapter 7

before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 6/8/20. No tentative ruling on the merits. The court will conduct the status conference in case that the United States Trustee or another party in interest has concerns regarding status. Appearances are required on 6/10/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 5/28/20. No tentative ruling on the merits. Appearances are required on 6/2/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed

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Tuesday, August 4, 2020

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CONT...

Don Gonzalez

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to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/17/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) and the current national and local public health guidance to mitigate the spread of the disease through social distancing, the court in an abundance of caution continues the hearing on Plaintiff's Motion for Default Judgment, Docket No. 23, in this adversary proceeding and the status conference scheduled for March 24, 2020 at 2:30 p.m. The court on its own motion continues the hearing on the motion and the status conference to April 28, 2020 at 2:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 24, 2020 at 2:30 p.m. as the hearing on the motion and the status conference are continued to April 28, 2020 at 2:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Prior tentative ruling as of 2/3/20. Off calendar. Because this is now a default situation, the court on its own motion continues the status conference to 3/24/20 at 2:30 p.m. to be conducted with the hearing on plaintiff's anticipated motion for default judgment. No appearances are required on 2/4/20, 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 10/11/19. No tentative ruling on the merits. Appearances are required on 10/15/19, 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. The court has reviewed plaintiff's unilateral status report. No tentative ruling on the merits. Appearances are required on 2/12/19, 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 4, 2020

Hearing Room 1675

2:30 PM

CONT... Don Gonzalez

Chapter 7

Debtor(s):

Don Gonzalez

Pro Se

Defendant(s):

Don Gonzalez

Pro Se

Plaintiff(s):

Swift Financial, LLC

Represented By
Daren M Schlecter

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 4, 2020

Hearing Room 1675

2:30 PM

2:18-20957 Raza Kazmi and Maha Rehman

Chapter 7

#36.00 Cont'd hearing re: USAA Savings Bank's motion to dismiss
fr. 5/19/20, 7/7/20

Docket 46

***** VACATED *** REASON: Withdrawn per notice filed on 7/29/20-mb.**

Tentative Ruling:

Off calendar. Motion withdrawn by noticed filed on 7/29/20. No appearances are necessary.

Party Information

Debtor(s):

Raza Kazmi

Represented By
Richard T Baum
Maureen Strube

Joint Debtor(s):

Maha Rehman

Represented By
Richard T Baum
Maureen Strube

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 4, 2020

Hearing Room 1675

2:30 PM

2:19-16082 Christopher A. Castanon

Chapter 7

#37.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Wesley H. Avery, Chapter 7 Trustee]

Docket 68

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the trustee's final report and fee application, the court determines that oral argument on the final report and fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final report and fee application, rules on the final report and fee application on the papers, and approves the final report and fee application for the reasons stated in the final report and fee application and for lack of timely written opposition. No appearances are required on 8/4/20. Trustee to lodge a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Christopher A. Castanon

Represented By
Steven B Lever

Trustee(s):

Wesley H Avery (TR)

Represented By
D Edward Hays
Chad V Haes
Laila Masud

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

Tuesday, August 4, 2020

Hearing Room 1675

2:30 PM

2:19-16082 Christopher A. Castanon

Chapter 7

#38.00 Hearing re: Application for fees and expenses
[Marshack Hays, LLP, Attorney for Chapter 7 Trustee]

Docket 63

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the final fee application of attorney for trustee, the court determines that oral argument on the final fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final fee application, rules on the final fee application on the papers, and approves the final fee application for the reasons stated in the final fee application and for lack of timely written opposition. No appearances are required on 8/4/20. Trustee or application to lodge a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Christopher A. Castanon

Represented By
Steven B Lever

Trustee(s):

Wesley H Avery (TR)

Represented By
D Edward Hays
Chad V Haes
Laila Masud

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

Tuesday, August 4, 2020

Hearing Room 1675

2:30 PM

2:19-16082 Christopher A. Castanon

Chapter 7

#39.00 Hearing re: Application for fees and expenses
[Hahn Fife & Company, Accountant for Chapter 7 Trustee]

Docket 65

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the final fee application of accountant for trustee, the court determines that oral argument on the final fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final fee application, rules on the final fee application on the papers, and approves the final fee application for the reasons stated in the final fee application and for lack of timely written opposition. No appearances are required on 8/4/20. Trustee or application to lodge a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Christopher A. Castanon

Represented By
Steven B Lever

Trustee(s):

Wesley H Avery (TR)

Represented By
D Edward Hays
Chad V Haes
Laila Masud

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

Tuesday, August 4, 2020

Hearing Room 1675

2:30 PM

2:19-22033 Grigor Avetisyan

Chapter 7

Adv#: 2:20-01097 United States Trustee (LA) v. Avetisyan

#40.00 Hearing re: Motion for entry of default judgment in favor of plaintiff United States Trustee

Docket 13

Tentative Ruling:

Revised and updated tentative ruling as of 8/3/20. 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 8/4/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los

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Los Angeles
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CONT...

Grigor Avetisyan

Chapter 7

Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 6/8/20. No tentative ruling on the merits. The court will conduct the status conference in case that the United States Trustee or another party in interest has concerns regarding status. Appearances are required on 6/10/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Grigor Avetisyan

Represented By
Richard A Avetisyan

Defendant(s):

Grigor Avetisyan

Pro Se

Plaintiff(s):

United States Trustee (LA)

Represented By

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

Tuesday, August 4, 2020

Hearing Room 1675

2:30 PM

CONT...

Grigor Avetisyan

Kenneth G Lau

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 4, 2020

Hearing Room 1675

2:30 PM

2:19-23349 Lianna Simonyan

Chapter 7

Adv#: 2:20-01032 Strategic Funding Source, Inc., a New York corpora v. Simonyan

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

Docket 14

Tentative Ruling:

In this adversary proceeding, plaintiff has moved for default judgment under Local Bankruptcy Rule 7055-1, which motion is also governed by Federal Rule of Bankruptcy Procedure 7055, making Federal Rule of Civil Procedure 55(b)(2) applicable to this adversary proceeding. Civil Rule 55(b)(2) requires a plaintiff to apply to the court for a default judgment. In such cases, the entry of default against a defendant does not automatically entitle a plaintiff to judgment. *Lu v. Liu (In re Liu)*, 282 B.R. 904, 907 (Bankr. C.D. Cal. 2002), citing *Valley Oak Credit Union v. Villegas (In re Villegas)*, 132 B.R. 742, 746 (9th Cir. BAP 1991); see also, *Zhong v. Yong Li (In re Yong Li)*, 2012 WL 5419068 (9th Cir. BAP 2012). The court has broad discretion under Rule 55(b)(2) to "conduct such hearings ... when, to enter or effectuate judgment, it needs to ...determine the amount of damages; establish the truth of any allegation by evidence; or investigate any other matter." Federal Rule of Civil Procedure 55(b)(2); see also, *In re Liu*, 282 B.R. at 907. Under this rule, the court may require a plaintiff to demonstrate a prima facie case by competent evidence in a prove-up trial to obtain a default judgment. *In re Liu*, 282 B.R. at 907., citing *In re Villegas*, 132 B.R. at 746; *TeleVideo Systems Inc. v. Heidenthal*, 826 F.2d 915, 917 (9th Cir.1987); *General Electric Capital Corp. v. Bui (In re Bui)*, 188 B.R. 274, 276 (Bankr. N.D.Cal.1995). In such a hearing, the plaintiff must demonstrate each of the elements of a cause of action to support a prima facie case. *Id.*, citing *In re Bui*, 188 B.R. at 276. The court has wide discretion under Civil Rule 55 to consider whether the evidence presented supports a claim and warrants judgment for the plaintiff. *Id.*, citing *Wells Fargo Bank v. Beltran (In re Beltran)*, 182 B.R. 820, 823–824 (9th Cir. BAP 1995); *Villegas*, 132 B.R. at 746 and *10A Charles Alan Wright, Arthur R. Miller & Mary Kay Kane, Federal Practice and Procedure: Civil § 2685 (3d ed.1998)*.

Bankruptcy courts frequently exercise their discretion to require that a

**United States Bankruptcy Court
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Los Angeles
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Lianna Simonyan

Chapter 7

plaintiff prove up a prima facie case when a plaintiff creditor seeks default judgment against a defendant debtor who has failed to answer a § 523 non-dischargeability claim. In re Liu, 282 B.R. at 907-908, citing AT & T Universal Card Services Corp. v. Sziel (In re Sziel), 206 B.R. 490, 493 (Bankr.N.D.Ill.1997); In re Beltran, 182 B.R. at 823; In re Villegas, 132 B.R. at 746. This practice is motivated by the risk that a creditor may obtain a default judgment, regardless of the merits of the complaint, against an honest debtor who is in such a precarious financial condition that the debtor cannot afford to defend a non-dischargeability claim. Id. at 908, citing In re Sziel, 206 B.R. at 492.

In this adversary proceeding, plaintiff seeks a determination that the alleged debts owed by defendant to it are nondischargeable pursuant to 11 U.S.C. § 523. This statute, 11 U.S.C. § 523, contains provisions for excepting debts owed by a debtor to a creditor from discharge for various reasons. Plaintiff asserts specifically that the debts owed to it by defendant should be excepted from discharge pursuant to 11 U.S.C. § 523(a)(2), (a)(4) and (a)(6). "[T]here are two distinct issues to consider in the dischargeability analysis: first, the establishment of the debt itself, . . . and, second, a determination as to the nature of that debt, an issue within the exclusive jurisdiction of the bankruptcy court and thus governed by Bankruptcy Rule 4007." *Banks v. Gill Distribution Centers, Inc. (In re Banks)*, 263 F.3d 862, 868 (9th Cir. 2001) (citing *Resolution Trust Corp. v. McKendry (In re McKendry)*, 40 F.3d 331, 337 (10th Cir. 1994)). See also March, Ahart and Shapiro, Rutter Group California Practice Guide: Bankruptcy, ¶ 22-1641 (online edition December 2019) ("[c]reditors seeking a nondischargeability determination must first establish an enforceable claim under state law (whether or not the claim has been filed in the bankruptcy proceeding)."). This is so because the statutory language of 11 U.S.C. § 523 does not provide for the creation of debts, but rather for determination of such existing debts as nondischargeable under certain conditions. *Del Bino v. Bailey (In re Bailey)*, 197 F.3d 997, 1001 (9th Cir. 1999) (bankruptcy law governs whether a claim is nondischargeable pursuant to 11 U.S.C. § 523, state law determines whether the creditor has a claim against debtor, such as for the tort of conversion). Plaintiff has not established that defendant owes it a debt under state law as it has not liquidated the debt in its state court lawsuit against defendant and other

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Chapter 7

parties. Plaintiff has not shown in its moving papers that it has alleged a prima facie case on a claim under state law that defendant owes a debt to it, presumably under California state law (i.e., fraud). Moreover, plaintiff has not shown in its moving papers that the elements of its claims under 11 U.S.C. 523(a)(2) and (6) are sufficiently alleged in its complaint and are satisfied here since none of the elements of these nondischargeability claims are discussed in the moving papers.

Looking at the complaint, the only factual allegations relating to defendant involve her alleged attempt to borrow money from plaintiff for her alleged business, Kassa Global, which attempt was unsuccessful. These allegations alone do not support a fraud claim since there are no damages from that alleged fraud. As alleged in the complaint, plaintiff seeks to hold defendant liable for damages from other frauds committed by other parties because she was allegedly a "co-conspirator," but the allegations of specific fact that she acted as a co-conspirator are limited. The evidence in support of such allegations consists of the Wolfson Declaration with copies of several bank documents of transfers and checks from the other loan borrowers to Kassa Global, purportedly defendant's business. However, there is no evidence that connects defendant with Kassa Global in the complaint or moving papers. For example, plaintiff did not attach to the complaint or moving papers the alleged loan application purportedly submitted by plaintiff for Kassa Global. There are only conclusory allegations "on information and belief" that defendant conspired with others to harm plaintiff through a business called Kassa Global without any factual substantiation. Moreover, plaintiff did not identify the specific transfers and checks in the bank documents showing transfers by other borrowers to Kassa Global, making it difficult for the court to ascertain that there were such transfers. As noted above, the complaint does not contain allegations that support a claim that defendant owes plaintiff a debt under state law. The court will require that plaintiff prove up with evidence that defendant is liable to it under state law as a co-conspirator for the liabilities that are owed by other perpetrators.

As indicated in its proposed default judgment, plaintiff moves for an award of \$244,500 in monetary damages, which amount is alleged in the complaint, and an award of attorneys' fees of \$144,831.50 and costs of

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Chapter 7

\$12,268.86, which amounts are not alleged in the complaint. According to a well-known treatise on California civil procedure, relief not demanded in the complaint cannot be granted by default judgment even though that relief otherwise would have been proper. Edmon and Karnow, Rutter Group California Practice Guide: Civil Procedure Before Trial, ¶ 5-233 (online edition, June 2020 update), citing, California Code of Civil Procedure § 580(a) ("The relief granted to the plaintiff, if there is no answer, cannot exceed that demanded in the complaint, in the statement required by Section 425.11 [personal injury or death actions], or in the statement provided for by Section 425.115 [punitive damages actions]" and *Airs Aromatics, LLC v. CBL Data Recovery Technologies, Inc.*, 23 Cal.App.5th 1013, 1018, 233 Cal.Rptr.3d 656, 659 (2018)—default judgment for sum in excess of that demanded in complaint is void. As a limit on type of relief: "It is fundamental to the concept of due process that a defendant be given notice of the existence of a lawsuit and notice of the specific relief which is sought in the complaint served upon him." *Id.*, ¶ 5-234, citing and quoting, *Marriage of Lippel*, 51 Cal.3d 1160, 1166, 276 Cal.Rptr. 290, 292 (1990). In actions for money damages a default judgment is limited to the amount demanded in the complaint. *Id.* ¶ 5:237. Whether a similar rule applies in actions for other than money damages is presently unclear, although the California Supreme Court has noted that California Code of Civil Procedure § 580 "does not distinguish between the type and amount of relief sought." *Id.* citing, *Becker v. S.P.V. Const. Co., Inc.*, 27 Cal.3d 489, 493, 165 Cal.Rptr. 825, 827 (1980). It does not appear that due process is met here since the amount of damages for attorneys' fees and costs exceed what is specifically alleged in the complaint. Another problem aside from no specific amount of fees and costs are alleged in the complaint, there is no statutory or contractual basis for an award of attorneys' fees cited in the moving papers to support such an award. Plaintiff must show that there is a legal basis for an award of fees.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be

**United States Bankruptcy Court
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Tuesday, August 4, 2020

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2:30 PM

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Lianna Simonyan

Chapter 7

conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 6/8/20. No tentative ruling on the merits. The court will conduct the status conference in case that the United States Trustee or another party in interest has concerns regarding status. Appearances are required on 6/10/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this

**United States Bankruptcy Court
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2:30 PM

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Lianna Simonyan

Chapter 7

hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Lianna Simonyan

Represented By
Aidan Butler

Defendant(s):

Lianna Simonyan

Pro Se

Movant(s):

Strategic Funding Source, Inc., a

Represented By
Brian T Harvey
Michael S Myers

Plaintiff(s):

Strategic Funding Source, Inc., a

Represented By
Brian T Harvey
Michael S Myers

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, August 5, 2020

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. 12/11/19, 3/11/20, 5/13/20

Docket 1

***** VACATED *** REASON: Cont'd from 8/5/20 to 10/28/20 at 11:00 a.m.
per stip & order entered on 7/30/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 8/3/20. Off calendar. Continued by stipulation and order to 10/28/20 at 11:00 a.m. No appearances are required on 8/5/20.

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
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Wednesday, August 5, 2020

Hearing Room 1675

11:00 AM

2:13-28671 Elbiali Ismail Osman

Chapter 11

#2.00 Cont'd hearing re: California Department of Tax and Fee Administration's motion to dismiss chapter 11 bankruptcy case for cause under 11 U.S.C. 1112 or in the alternative to convert case to chapter 7
fr. 4/1/20, 6/3/20, 7/15/20

Docket 311

Tentative Ruling:

Updated tentative ruling as of 8/3/20. No tentative ruling on the merits. Debtor should report on the status of its refinancing transaction and payment of the claims of the California Department of Tax and Fee Administration, which would resolve the pending motion to dismiss or convert.

Appearances are required on 8/5/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing,

**United States Bankruptcy Court
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Hearing Room 1675

11:00 AM

CONT... Elbiali Ismail Osman

Chapter 11

preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Elbiali Ismail Osman

Represented By

Carlos F Negrete - INACTIVE -

Alan W Forsley

Robert G Uriarte

Raymond H. Aver

Movant(s):

California Department of Tax and

Represented By

Teaira L Law

Lisa W Chao

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, August 5, 2020

Hearing Room 1675

11:00 AM

2:13-28671 Elbiali Ismail Osman

Chapter 11

#3.00 Cont'd status conference re: Post confirmation of plan
fr. RN, 5/6/20, 6/3/20, 7/15/20

Docket 298

Tentative Ruling:

Updated tentative ruling as of 8/3/20. No tentative ruling on the merits. Debtor should report on the status of its refinancing transaction and payment of the claims of the California Department of Tax and Fee Administration, which has a pending motion to dismiss or convert which motion may impact the status of this case.

Appearances are required on 8/5/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the

**United States Bankruptcy Court
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Los Angeles
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Wednesday, August 5, 2020

Hearing Room 1675

11:00 AM

CONT... Elbiali Ismail Osman

Chapter 11

hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, August 5, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#4.00 Cont'd hearing re: Creditor Gia Phu Inc.'s motion to allow late filed claims pursuant to Federal Rules of Bankruptcy Procedure Rule 9006(b)
fr. 3/25/20, 4/29/20, 6/3/20

Docket 312

***** VACATED *** REASON: Cont'd from 8/5/20 to 11/4/20 at 11:00 a.m.
per stip & order entered on 7/22/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 8/3/20. Off calendar. Continued by stipulation and order to 11/4/20 at 11:00 a.m. No appearances are required on 8/5/20.

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 5, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#5.00 Cont'd hearing re: Creditor Shen-Shaoxing Tuchang Knitting Textile Co., Ltd.'s motion to allow late filed claims pursuant to Federal Rules of Bankruptcy Procedure Rule 9006(b) fr. 3/25/20, 4/29/20, 6/3/20

Docket 316

***** VACATED *** REASON: Cont'd from 8/5/20 to 11/4/20 at 11:00 a.m.
per stip & order entered on 7/22/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 8/3/20. Off calendar. Continued by stipulation and order to 11/4/20 at 11:00 a.m. No appearances are required on 8/5/20.

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 5, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#6.00 Cont'd hearing re: Creditor Baldwin Sun Inc.'s motion to allow late filed claims pursuant to Federal Rules of Bankruptcy Procedure Rule 9006(b) fr. 3/25/20, 4/29/20, 6/3/20

Docket 310

***** VACATED *** REASON: Cont'd from 8/5/20 to 11/4/20 at 11:00 a.m. per stip & order entered on 7/22/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 8/3/20. Off calendar. Continued by stipulation and order to 11/4/20 at 11:00 a.m. No appearances are required on 8/5/20.

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 5, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#7.00 Cont'd hearing re: Creditor Cong Ty May Vietmy's motion to allow late filed claims pursuant to Federal Rules of Bankruptcy Procedure Rule 9006(b) fr. 3/25/20, 4/29/20, 6/3/20

Docket 314

***** VACATED *** REASON: Cont'd from 8/5/20 to 11/4/20 at 11:00 a.m. per stip & order entered on 7/22/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 8/3/20. Off calendar. Continued by stipulation and order to 11/4/20 at 11:00 a.m. No appearances are required on 8/5/20.

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 5, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#8.00 Cont'd hearing re: Disclosure statement
fr. 3/25/20, 4/29/20, 6/3/20

Docket 277

Tentative Ruling:

Updated tentative ruling as of 8/3/20. No tentative ruling on the merits. Appearances are required on 8/5/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through August 31, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court

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

Wednesday, August 5, 2020

Hearing Room 1675

11:00 AM

CONT... Catherine Trinh

Chapter 11

hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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 5, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#9.00 Status conference re: Post discovery
fr. 3/25/20, 4/29/20, 6/3/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/3/20. No tentative ruling on the merits. Appearances are required on 8/5/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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

Wednesday, August 5, 2020

Hearing Room 1675

11:00 AM

CONT... Catherine Trinh

Chapter 11

hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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 5, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#10.00 Cont'd status conference re: Management of chapter 11 case
fr. 3/25/20, 4/29/20, 6/3/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/3/20. No tentative ruling on the merits. Appearances are required on 8/5/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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

Wednesday, August 5, 2020

Hearing Room 1675

11:00 AM

CONT... Catherine Trinh

Chapter 11

hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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 5, 2020

Hearing Room 1675

11:00 AM

2:18-14665 Hugo Hernandez

Chapter 11

#11.00 Cont'd status conference re: Post confirmation of plan
fr. 3/25/20, 4/29/20, 6/3/20

Docket 113

Tentative Ruling:

Updated tentative ruling as of 8/3/20. No tentative ruling on the merits. Appearances are required on 8/5/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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

Wednesday, August 5, 2020

Hearing Room 1675

11:00 AM

CONT... Hugo Hernandez

Chapter 11

hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, August 5, 2020

Hearing Room 1675

11:00 AM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

#12.00 Cont'd status conference re: Management of chapter 11 case
fr. 1/15/20, 3/25/20, 6/3/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/3/20. No tentative ruling on the merits. Appearances are required on 8/5/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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

Wednesday, August 5, 2020

Hearing Room 1675

11:00 AM

CONT... Zacky & Sons Poultry, LLC

Chapter 11

hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, August 5, 2020

Hearing Room 1675

11:00 AM

2:19-10119 David Lee

Chapter 11

#13.00 Hearing re: Motion for order approving disclosure statement

Docket 318

Tentative Ruling:

Since debtor acknowledges in his reply to the objections of creditors that he will need to make revisions to the disclosure statement to address the objections to these documents, the court will defer a ruling on the disclosure statement until these revisions are made. Debtor will need to resolve the disputes regarding the amount of the secured claims of the objecting creditors either informally as indicated by debtor with respect to Green Lawn or by claim objections under FRBP 3007 with respect to both creditors if he cannot reach an agreement. Contrary to debtor's statements in the disclosure statement, disputes over the amounts of the secured claims are not going to be resolved in hearings on the disclosure statement or plan, but through consensual resolution, a claim objection under FRBP 3007, a motion to value secured claim under FRBP 3012 or an adversary proceeding to determine validity and extent of lien under FRBP 7001. In re Dynamic Brokers, Inc., 293 B.R. 489 (9th Cir. BAP 2003); see also, FRBP 3012(b) (determination of amount of a secured claim may be made by motion, a claim objection or Chapter 12 or 13 plan, which rule does not include a Chapter 11 plan). As indicated in the reply, debtor will agree to revise the disclosure statement and plan to address some of the concerns raised by the objecting creditors, but not as to others. The court agrees with debtor in part that certain objections raised by the creditors are issues to be determined at plan confirmation, such as cramdown interest rate, feasibility, good faith and absolute priority test satisfaction. Appearances are required on 8/5/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be

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

Wednesday, August 5, 2020

Hearing Room 1675

11:00 AM

CONT...

David Lee

Chapter 11

conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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Party Information

Debtor(s):

David Lee

Represented By
David A Tilem

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

Wednesday, August 5, 2020

Hearing Room 1675

2:00 PM

2:18-13759 Charles Peters

Chapter 11

#13.10 Hearing re: Debtor's motion to vacate order for relief from stay

Docket 342

Tentative Ruling:

Updated tentative ruling as of 8/3/20. No tentative ruling on the merits. Appearances are required on 8/5/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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

Wednesday, August 5, 2020

Hearing Room 1675

2:00 PM

CONT...

Charles Peters

Chapter 11

some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, August 5, 2020

Hearing Room 1675

2:00 PM

2:18-13759 Charles Peters

Chapter 11

#14.00 Cont'd hearing re: Motion for relief from stay
(County of Riverside VS Debtor)
fr. 4/15/20, 4/29/20, 6/3/20

Docket 20

***** VACATED *** REASON: Off calendar per order entered on 7/23/20-
mb.**

Tentative Ruling:

Off calendar. Motion granted by order entered on 7/23/20. 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, August 5, 2020

Hearing Room 1675

2:00 PM

2:18-13759 Charles Peters

Chapter 11

#15.00 Cont'd hearing re: Motion for order approving disclosure statement describing chapter 11 plan of reorganization
fr. 4/15/20, 4/29/20, 6/24/20

Docket 257

Tentative Ruling:

Updated tentative ruling as of 8/3/20. No tentative ruling on the merits. Appearances are required on 8/5/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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

Wednesday, August 5, 2020

Hearing Room 1675

2:00 PM

CONT...

Charles Peters

Chapter 11

the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 4/27/20. No tentative ruling on the merits. Appearances are required on 4/29/20 to discuss the status of this matter, including whether debtor will be filing an amended disclosure statement in light of the current public health emergency, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Giovanni Orantes
Luis A Solorzano

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

Wednesday, August 5, 2020

Hearing Room 1675

2:00 PM

2:18-13759 Charles Peters

Chapter 11

#16.00 Cont'd status conference re: Management of chapter 11 case
fr. 4/15/20, 4/29/20, 6/24/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/3/20. No tentative ruling on the merits. Appearances are required on 8/5/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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

Wednesday, August 5, 2020

Hearing Room 1675

2:00 PM

CONT...

Charles Peters

Chapter 11

hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Giovanni Orantes
Luis A Solorzano

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

Thursday, August 6, 2020

Hearing Room 1675

2:00 PM

2:19-15184 Edmond Zarookian

Chapter 7

#1.00 Cont'd pretrial conference re: United States Trustee's motion to dismiss chapter 7 case with a refiling bar pursuant to 11 U.S.C. §707(b)(3)(A), or, in the alternative, to further extend time to file a complaint under §727 fr. 5/8/20, 6/23/20, 7/14/20

Docket 38

Tentative Ruling:

Updated tentative ruling as of 8/3/20. All counsel and witnesses shall participate in the pre-trial testing to determine that each participant's audio and video capabilities are functional for the evidentiary hearing scheduled for 8/13/2020. The court requests that the parties conduct the pre-trial testing from their intended location on the day of the trial. Appearances are required on 8/6/20 and the videoconference resources are included below:

a. VIDEO Utilize the following link:
<https://cacb.zoomgov.com/j/1618263821>, or <https://cacb.zoomgov.com/>

and insert Meeting ID: 161 826 3821 and Password 436601.

b. AUDIO ONLY. Audio-only participants must call into Zoom for Government by calling

+16692545252,,1618263821#,1#,436601# or

+16468287666,,1618263821#,1#,436601#

Prior tentative ruling as of 4/10/20. Off calendar. Continued by stipulation and order to 6/25/20 at 10:00 a.m. No appearances are required on 5/8/20.

Prior tentative ruling as of 3/20/20. In light of the rapidly developing public

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

Thursday, August 6, 2020

Hearing Room 1675

2:00 PM

CONT...

Edmond Zarookian

Chapter 7

health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the chief judge of the United States District Court for the Central District of California issued an Order of the Chief Judge No. 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion must and does vacate the evidentiary hearing for the contested matter of the motion of United States Trustee to dismiss this bankruptcy case with a one-year refiling bar scheduled for April 3, 2020 at 10:00 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012 because in person appearances are not permitted in the courthouse on that date. No appearances are required on April 3, 2020 at 10:00 a.m. as the evidentiary hearing on that date is vacated. Based on the stipulation of the parties, the court has issued an order approving the stipulation and continued the evidentiary hearing to May 8, 2020 at 10:00 a.m.

Prior tentative ruling. Treat the motion of United States Trustee to dismiss with a one year refiling bar on grounds of debtor's bad faith as a contested matter under FRBP 9014 since assessment of debtor's good or bad faith is dependent on credibility determinations of debtor's testimony in his declaration and the supporting evidence of the United States Trustee, or alternatively, deny the motion to dismiss without prejudice, and allow United States Trustee an extension of 60 days from the date of the hearing to file a complaint to deny discharge under 11 U.S.C. 727 for cause shown under FRBP 4004(b) in that the United States Trustee has diligently pursued his investigation of possible actions against debtor before the deadline of 1/6/20 and timely filed the motion to extend as shown by his office's examination of debtor at the 11 U.S.C. 341(a) meetings of creditors on 6/4/19, 9/24/19 and 10/21/19 as well as extensive forensic examination of debtor's credit card transactions and elected to seek dismissal first rather than filing an adversary proceeding to deny discharge, which would have been moot if the dismissal had been granted, and that a short extension of time of 60 days for the preparation of a complaint to deny discharge would not prejudice debtor or

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

Thursday, August 6, 2020

Hearing Room 1675

2:00 PM

CONT... Edmond Zarookian Chapter 7

unduly delay the administration of this case. *In re Jahangiri*, No. 18-31609-dwh7, 2018 WL 5255216 (Bankr. D. Or. 2018) (collecting cases).
Appearances are required on 3/3/20, but counsel may appear by telephone.

Party Information

Debtor(s):

Edmond Zarookian

Represented By
Sevan Gorginian

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 11, 2020

Hearing Room 1675

10:30 AM

2:18-23760 Angelica Valdez

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(Rebecca Lim VS Debtor)

Docket 35

Tentative Ruling:

Grant creditor's motion for relief from the automatic stay for cause under 11 U.S.C. 362(d)(1) to proceed with her litigation remedies against the debtor in a nonbankruptcy forum to liquidate her potential claim against the bankruptcy estate. Creditor may proceed to judgment but may not take action to enforce any judgment against property of the estate or against the debtor in violation of the stay or discharge injunction. The automatic stay remains in place as to the potential bad faith claim of debtor against her insurer as an asset of the bankruptcy estate which was never scheduled, which unscheduled asset is property of the estate not subject to the termination of the stay upon technical abandonment when the case was originally closed pursuant to 11 U.S.C. 362(c)(1). See March, Ahart and Shapiro, Rutter Group California Practice Guide: Bankruptcy, ¶¶ 6:440 - 6:442 (online edition, December 2019 update) (stating, "Estate property that is neither scheduled nor administered in the case, and that is not otherwise abandoned under [11 U.S.C.] § 554, remains property of the estate—even after the case is closed—unless the court orders otherwise."), citing, 11 U.S.C. § 554(d), Stein v. United Artists Corp., 691 F.2d 885, 891 (9th Cir. 1982) (debtor who fails to schedule claim as estate asset may not assert abandonment following case closure because trustee has had no opportunity to pursue the claim), In re Pace, 146 B.R. 562, 564-565 (9th Cir. BAP 1992) (unscheduled malpractice claim not abandoned when case closed) and In re JZ LLC (9th Cir. BAP 2007) 371 B.R. 412, 418 (9th Cir. BAP 2007) (unscheduled/unadministered estate property remains estate property "forever"). If creditor is successful in liquidating her claim against the debtor, the estate may have a potential bad faith claim against the insurer, which the trustee could possibly pursue on behalf of the estate's creditors, but the court does not determine whether such claim exists since creditor has not yet liquidated her claim against debtor, which might give rise to a bad faith claim

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CONT... Angelica Valdez

Chapter 7

and which is a matter for the nonbankruptcy forum, not this court, to adjudicate. This court only determines the limited issue of whether there is cause to grant stay relief. See *In re Griffin*, 719 F.3d 1126, 1128 (9th Cir. 2013). Debtor's argument in opposition to the stay relief motion that the insurer was willing to pay the policy limit is irrelevant to the issue of whether the stay relief should be granted and may be a defense to be asserted by the insurer in a possible future action by the trustee on behalf of the estate on a potential bad faith claim.

Appearances are required on 8/11/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large

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demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 6/8/20. No tentative ruling on the merits. The court will conduct the status conference in case that the United States Trustee or another party in interest has concerns regarding status. Appearances are required on 6/10/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Angelica Valdez

Represented By
Jaime A Cuevas Jr.
John P Kreis

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 11, 2020

Hearing Room 1675

10:30 AM

2:20-12128 Angelo Cortez and Michelle Cortez

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Toyota Lease Trust VS Debtors)

Docket 27

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 8/11/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Angelo Cortez

Represented By
Stephen K Moran

Joint Debtor(s):

Michelle Cortez

Represented By
Stephen K Moran

Trustee(s):

John P Pringle (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, August 11, 2020

Hearing Room 1675

10:30 AM

2:20-13947 Joel Dakota Morales

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(Toyota Motor Credit Corporation VS Debtor)

Docket 8

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 8/11/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Joel Dakota Morales

Represented By
Rex Tran

Trustee(s):

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, August 11, 2020

Hearing Room 1675

10:30 AM

2:20-15148 Arnoldo Cruz Martinez

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(Ford Motor Credit Company LLC VS Debtor)

Docket 10

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 8/11/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Arnoldo Cruz Martinez

Represented By
Claudia C Osuna

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Courtroom 1675 Calendar**

Tuesday, August 11, 2020

Hearing Room 1675

2:30 PM

2:20-12202 Richard Ochoa Telles

Chapter 7

#5.00 Hearing re: Chapter 7 Trustee's Motion For Order: (1) Authorizing Sale of Artwork Free and Clear of all Liens, Claims and Interests; (2) Approving Proposed Overbid Procedures; (3) Determining that Buyer is a Good Faith Purchaser; And (4) Waiving the Fourteen (14) Day Stay Prescribed by Rule 6004(h) of The Federal Rules of Bankruptcy Procedure

Docket 37

Tentative Ruling:

Grant trustee's motion for order authorizing sale of artwork free and clear of liens, claims and interests, approving proposed overbid procedures and waiving 14 day stay on enforcement of the order on the motion under FRBP 6004(h) for the reasons stated in the moving papers and for lack of timely written opposition as the sale is within the reasonable business judgment of the trustee and that based on the trustee's investigation, there are no liens, claims and interests that the artwork is subject to, so that the artwork may be sold free and clear of liens, claims and interests pursuant to 11 U.S.C. 363(f) (2) and (3). No tentative ruling as to request for determination of buyer as good faith purchaser under 11 U.S.C. 363(m) since there may be overbidding and an auction to determine the final purchaser. Appearances are required on 8/11/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange

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CONT...

Richard Ochoa Telles

Chapter 7

to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 6/8/20. No tentative ruling on the merits. The court will conduct the status conference in case that the United States Trustee or another party in interest has concerns regarding status. Appearances are required on 6/10/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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Tuesday, August 11, 2020

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2:30 PM

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Richard Ochoa Telles

Chapter 7

Party Information

Debtor(s):

Richard Ochoa Telles

Represented By
Daniela P Romero

Trustee(s):

Elissa Miller (TR)

Represented By
Steven Werth

**United States Bankruptcy Court
Central District of California
Los Angeles
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Thursday, August 13, 2020

Hearing Room 1675

10:00 AM

2:19-15184 Edmond Zarookian

Chapter 7

#1.00 TRIAL BY ZOOM RE: United States Trustee's motion to dismiss chapter 7 case with a refiling bar pursuant to 11 U.S.C. §707(b)(3)(A), or, in the alternative, to further extend time to file a complaint under §727 fr. 6/23/20, 7/14/20, 8/6/20

Docket 38

Tentative Ruling:

Tentative ruling as of 8/12/20. No tentative ruling on the merits. Participants must connect to the Zoom for Government courtroom no later than 9:45 a.m. and check in with the law clerk/DECRO.

a. Video. Utilize the following link:

<https://cacb.zoomgov.com/j/1618892765> and insert

Meeting ID: 161 889 2765 and **Password:** 780930.

b. Audio only. Audio-only participants must call into Zoom for Government by calling:

+1 669 254 5252

or +1 646 828 7666,

with the **Meeting ID:** 161 889 2765 and **Password:** 780930.

Prior tentative ruling as of 6/19/20. No tentative ruling on the merits. The court will discuss proceeding with the evidentiary hearing remotely by videoconferencing in light of the current pandemic and has issued an order describing proposed remote trial procedures for the hearing. Appearances are

**United States Bankruptcy Court
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Thursday, August 13, 2020

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10:00 AM

CONT...

Edmond Zarookian

Chapter 7

required on 6/23/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 4/10/20. Off calendar. Continued by stipulation and order to 6/25/20 at 10:00 a.m. No appearances are required on 5/8/20.

Prior tentative ruling as of 3/20/20. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the chief judge of the United States District Court for the Central District of California issued an Order of the Chief Judge No. 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion must and does vacate the evidentiary hearing for the contested matter of the motion of United States Trustee to dismiss this bankruptcy case with a one-year refiling bar scheduled for April 3, 2020 at 10:00 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012 because in person appearances are not permitted in the courthouse on that date. No appearances are required on April 3, 2020 at 10:00 a.m. as the evidentiary hearing on that date is vacated. Based on the stipulation of the parties, the court has issued an order approving the stipulation and continued the evidentiary hearing to May 8, 2020 at

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10:00 AM

CONT... Edmond Zarookian
10:00 a.m.

Chapter 7

Prior tentative ruling. Treat the motion of United States Trustee to dismiss with a one year refiling bar on grounds of debtor's bad faith as a contested matter under FRBP 9014 since assessment of debtor's good or bad faith is dependent on credibility determinations of debtor's testimony in his declaration and the supporting evidence of the United States Trustee, or alternatively, deny the motion to dismiss without prejudice, and allow United States Trustee an extension of 60 days from the date of the hearing to file a complaint to deny discharge under 11 U.S.C. 727 for cause shown under FRBP 4004(b) in that the United States Trustee has diligently pursued his investigation of possible actions against debtor before the deadline of 1/6/20 and timely filed the motion to extend as shown by his office's examination of debtor at the 11 U.S.C. 341(a) meetings of creditors on 6/4/19, 9/24/19 and 10/21/19 as well as extensive forensic examination of debtor's credit card transactions and elected to seek dismissal first rather than filing an adversary proceeding to deny discharge, which would have been moot if the dismissal had been granted, and that a short extension of time of 60 days for the preparation of a complaint to deny discharge would not prejudice debtor or unduly delay the administration of this case. *In re Jahangiri*, No. 18-31609-dwh7, 2018 WL 5255216 (Bankr. D. Or. 2018) (collecting cases). Appearances are required on 3/3/20, but counsel may appear by telephone.

Party Information

Debtor(s):

Edmond Zarookian

Represented By
Sevan Gorginian

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Courtroom 1675 Calendar**

Tuesday, August 18, 2020

Hearing Room 1675

10:30 AM

2:20-15647 Timothy Lee Myles

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(Exeter Finance, LLC VS Debtor)

Docket 12

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 8/18/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Timothy Lee Myles	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
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Tuesday, August 18, 2020

Hearing Room 1675

10:30 AM

2:20-15988 Raymond Pearl

Chapter 7

#1.01 Hearing re: Motion for relief from stay
(U.S. Bank National Association VS Debtor)

Docket 9

Tentative Ruling:

The court notes that there were glaring proofreading errors in the moving papers: (1) on the case caption of the amended notice of hearing misidentifying the court division as the "Los Angeles Valley Division" as the correct name for this division is "Los Angeles Division," although the court also has a "San Fernando Valley Division", which is entirely different; (2) incorrectly listing one of the parties addressed in the amended notice as the "Chapter 13 Trustee" as this is a Chapter 7 bankruptcy case, and a Chapter 13 Trustee is not appointed in a Chapter 7 bankruptcy case. Counsel is admonished to proofread documents before filing with the court. Sloppy papers reflect poorly on counsel's reputation. See Morten Lund, *Jagged Rocks of Wisdom: Professional Advice for the New Attorney* (The Fine Print Press, Ltd.: Honolulu, HI 2007). According to this author, Rule Number 1 is Proofread: "There is a reason that this is rule number one. Proofreading is essential to the practice of law at every level, and it is particularly crucial to the junior associate. In academic contexts, a distinction is often made between 'substantive' and 'non-substantive' errors. One speaks of an error being 'only a typo'. Only 'substantive' errors matter. Forget all of that, and forget it right now." According to the author, proofreading is so important that it is also his Rule Number 2: Proofread Again. As he states, "I should make it absolutely clear--proofreading is very important. Take proofreading very seriously." Why, he says: "Some of the reasons for proofreading are not always apparent. Some things just do not seem important enough, and perhaps just are not important enough. But remember everything that you write will be read. Many times. By many people. Many many people. Many many judgmental people. For a long time. For a very long time."

As to the merits of the motion, in light of the lack of any timely written opposition to the movant's stay relief motion, the court is inclined to grant the motion pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy

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CONT... Raymond Pearl

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remedies for the reasons stated in the moving papers and for lack of timely written opposition and waive the 14-day waiting period under FRBP 4001(a) (3).

However, the court will not grant the request for extraordinary relief in paragraph 7 to authorize law enforcement eviction for lack of legal authority. See *In re Van Ness*, 399 B.R. 897 (Bankr. E.D. Cal. 2009). The scope of relief in a stay relief proceeding is narrow and limited, that is, the court only determines whether the creditor has a colorable claim to enforce a right outside the bankruptcy case to warrant relief from stay. See *In re Griffin*, 719 F.3d 1126, 1128 (9th Cir. 2013) ("A proceeding to determine eligibility for relief from a stay only determines whether a creditor should be released from the stay in order to argue the merits in a separate proceeding.") (citation omitted). The court lacks broad equitable authority to empower law enforcement to carry out an eviction, which is for the state court in an unlawful detainer proceeding to determine. *In re Van Ness*, supra.

The multiple bankruptcy case filings affecting the subject property appear to indicate an abuse of the bankruptcy system to warrant extraordinary relief, such as in paragraph 9 of the form motion providing for relief from stay for 180 days in any bankruptcy case commenced or against any debtor. The court inquires of counsel as to why movant did not request such relief in its motion since this appears to be an abusive situation.

Appearances are required on 8/18/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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10:30 AM

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Raymond Pearl

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In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Raymond Pearl

Pro Se

Trustee(s):

John P Pringle (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, August 18, 2020

Hearing Room 1675

11:00 AM

2:20-16427 Wing City Logistics Inc.

Chapter 7

#1.10 Hearing re: Motion for relief from stay
(MYD Properties, LLC VS Debtor)

Docket 9

Tentative Ruling:

No tentative ruling will be issued on this matter heard on shortened notice. However, the court is not inclined to grant the motion without proof of service as ordered in the order shortening notice requiring service on debtor and the Chapter 7 trustee by overnight mail by 8/5/20, which proof of service was due to be filed two days before the hearing. As of 8/14/20, no proof of service of the moving papers and order shortening notice has been filed. Appearances are required on 8/18/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance

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Hearing Room 1675

11:00 AM

CONT... Wing City Logistics Inc.

Chapter 7

reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Wing City Logistics Inc.

Represented By
Maria W Tam

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, August 18, 2020

Hearing Room 1675

11:00 AM

2:20-15086 Imperial Standard LLC

Chapter 7

#1.20 Cont'd hearing re: Motion for relief from stay
(Civic Ventures LLC VS Debtor)
fr. 8/4/20

Docket 9

Tentative Ruling:

Updated tentative ruling as of 8/14/20. The court is inclined to grant the motion under 11 U.S.C. 362(d)(1) for cause because: (1) this is a Chapter 7 liquidation bankruptcy case, and the trustee has not indicated an interest in administering this asset since he has not opposed the motion; (2) debtor has not moved to convert the case to Chapter 11 and otherwise show that it has an alternative plan to satisfy the secured claim; (3) there is no evidence in support of debtor's opposition to the motion that it would negotiate an adequate protection order with movant or move to convert the case to Chapter 11 and sell or refinance the property. While movant has not shown the lack of debtor's equity in the subject property to warrant relief under 11 U.S.C. 362(d)(2), it has shown cause for stay relief because it does not appear that the property will be administered by the trustee or that debtor will provide for payment of the secured claim in a Chapter 11 reorganization case.

Appearances are required on 8/18/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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CONT... Imperial Standard LLC

Chapter 7

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 8/3/20. The court updates its tentative ruling of 7/31/20 in light of debtor's opposition filed on 8/2/20 by newly retained counsel. The court realizes that counsel was newly retained, but is not sure that his proposed strategy first trying to negotiate adequate protection with the lender works because the property belongs to the Chapter 7 estate and debtor will need the cooperation and support of the trustee. Most likely, if there is value for creditors in a reorganization, debtor will need to move to convert to Chapter 11, which was counsel's fallback strategy. Appearances are required on 8/4/20 as indicated in the tentative ruling of 7/31/20.

Prior tentative ruling as of 7/31/20. Service of the moving papers is insufficient because as indicated on the proof of service, movant did not serve a judge's copy on the assigned judge as required by Local Bankruptcy Rule 5005-2(d), which rule the court will enforce. As to the merits, the court is inclined to deny relief under 11 U.S.C. 362(d)(2) because movant has not met its burden of showing debtor's lack of equity since the moving papers indicate the existence of some equity, deny the requests for extraordinary relief in paragraphs 8, 10, 11 and 14 for lack of evidentiary and/or legal support, see

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, August 18, 2020

Hearing Room 1675

11:00 AM

CONT... Imperial Standard LLC

Chapter 7

In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009) and otherwise, no tentative ruling on the merits. Appearances are required on 8/4/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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Party Information

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

Tuesday, August 18, 2020

Hearing Room 1675

11:00 AM

CONT... Imperial Standard LLC

Chapter 7

Debtor(s):

Imperial Standard LLC

Pro Se

Movant(s):

Civic Ventures, LLC, as attorney-in-

Represented By
Seth P Cox

Trustee(s):

John P Pringle (TR)

Pro Se

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

Tuesday, August 18, 2020

Hearing Room 1675

11:00 AM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01251 Goodrich v. Eghbali

- #1.30** Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542
fr. 5/5/20, 6/30/20, 8/4/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/14/20. Grant the motion for default judgment for the reasons stated in the moving papers as supplemented by the declaration of the trustee. Appearances are required on 8/18/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, August 18, 2020

Hearing Room 1675

11:00 AM

CONT... SOCALDEAL INC

Chapter 7

the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 7/31/20. Regarding the pending motion for default judgment, the court could not grant the motion because it was unable to find the alleged preferential transfers of \$23,334 on 11/30/17 and \$4,023 on 12/12/17 to defendant on Exhibit 3 to the motion, which was the trustee's ledger, the evidence offered in support of the preferential transfer claim and the amount of damages. In the unilateral status report filed on 7/31/20, plaintiff stated that he is withdrawing the motion for default judgment and will be filing an amended complaint. Otherwise, no tentative ruling on the merits. Appearances are required on 8/4/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through August 31, 2020,

**United States Bankruptcy Court
Central District of California
Los Angeles
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11:00 AM

CONT... SOCALDEAL INC

Chapter 7

CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Updated tentative ruling as of 6/26/20. Off calendar. The court has reviewed plaintiff's unilateral status report, stating that he is filing a motion for default judgment, which he did on 6/16/20 pursuant to the court's notice of opportunity to object and request hearing procedure under LBR 9013-1(o), and requesting a 30 day continuance of the status conference so that the default judgment motion may be resolved. The court on its own motion continues the status conference to 8/4/20 at 1:30 p.m. No appearances are required on 6/30/20.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Michael Eghbali

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

**United States Bankruptcy Court
Central District of California
Los Angeles
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Courtroom 1675 Calendar**

Tuesday, August 18, 2020

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11:00 AM

CONT... SOCALDEAL INC

Chapter 7

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, August 18, 2020

Hearing Room 1675

11:00 AM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01258 Goodrich v. Yeftadonay

- #1.40** Cont'd hearing re: Motion for entry of default judgement against defendant Jan Yaftadonay Pursuant to Federal Rule of Civil Procedure 55 as Incorporated by Federal Rule of Bankruptcy Procedure 7055 and Local bankruptcy Rule 7055-1 fr. 8/4/20

Docket 15

Tentative Ruling:

Updated tentative ruling as of 8/14/20. No tentative ruling on the merits. The court has reviewed the trustee's declaration, but it is not apparent to the court that he has personal knowledge of the insider relationship of defendant to debtor as required by Federal Rule of Evidence 602. Perhaps the declaration can be amended to lay out the basis of the trustee's personal knowledge of defendant's insider status because the statement in the declaration is too conclusory, lacking in foundation. Appearances are required on 8/18/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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Los Angeles
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11:00 AM

CONT... SOCALDEAL INC

Chapter 7

need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling. In the unilateral status report filed on 7/31/20, plaintiff stated that he would withdraw the motion for default judgment and will be filing and serving an amended complaint. Appearances are required on 8/4/20 to discuss scheduling of a further status conference based on plaintiff's time estimate when he will file and serve his amended complaint, but counsel and self-represented parties must appear by telephone.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour
Keith F Rouse

Defendant(s):

Jan Yeftadonay

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, August 18, 2020

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11:00 AM

CONT... SOCALDEAL INC

Chapter 7

Beth Gaschen
Weiland Golden Goodrich LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, August 18, 2020

Hearing Room 1675

11:00 AM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01258 Goodrich v. Yeftadonay

#1.50 Cont'd status conference re: Complaint for: (1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; (2) Recovery of property pursuant to 11 U.S.C. § 550; (3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; (4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and (5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 4/28/20, 6/30/20, 8/4/20

Docket 1

Tentative Ruling:

See tentative ruling on matter number 1.4.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Jan Yeftadonay

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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

Tuesday, August 18, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01466 Avery v. Gia Phu Fashion Garment Co.

#2.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of fraudulent and unauthorized postpetition transfers fr. 1/7/20, 3/24/20, 5/19/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/14/20. Since settlement of this and related actions was reached at the mediation before Judge Bluebond on 1/30/20, the status conference has been continued twice in order to implement the settlement. Even though economic activity has been lessened due to the pandemic, counsel should explain why the necessary claim releases for this and the related actions cannot be obtained since the pandemic conditions in Vietnam and China have lessened somewhat so that both countries have reopened to a greater extent than here. Appearances are required on 8/18/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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**United States Bankruptcy Court
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Los Angeles
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Tuesday, August 18, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 5/15/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the global settlement which has been delayed to the pandemic. The court on its own motion continues the status conference to 8/18/20 at 1:30 p.m. No appearances are required on 5/19/20.

Prior tentative ruling as of 3/18/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the settlement and to allow additional time for plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 5/19/20 at 1:30 p.m. No appearances are required on 3/24/20.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference after the mediation between plaintiff and principals of debtor and related parties and allowing plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 3/24/20 at 1:30 p.m. No appearances are required on 1/7/20.

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Los Angeles
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Tuesday, August 18, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Gia Phu Fashion Garment Co.

Pro Se

Plaintiff(s):

Wesley H. Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, August 18, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01469 Avery v. Trinh Vuong Garment Co., Ltd.

#3.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential and fraudulent transfers fr. 1/7/20, 3/24/20, 5/19/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/14/20. No tentative ruling on the merits. Appearances are required on 8/18/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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

Tuesday, August 18, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Updated tentative ruling as of 5/15/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the global settlement which has been delayed to the pandemic. The court on its own motion continues the status conference to 8/18/20 at 1:30 p.m. No appearances are required on 5/19/20.

Prior tentative ruling as of 3/18/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the settlement and to allow additional time for plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 5/19/20 at 1:30 p.m. No appearances are required on 3/24/20.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference after the mediation between plaintiff and principals of debtor and related parties and allowing plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 3/24/20 at 1:30 p.m. No appearances are required on 1/7/20.

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, August 18, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

Defendant(s):

Trinh Vuong Garment Co., Ltd.

Pro Se

Plaintiff(s):

Wesley H. Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, August 18, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01472 Avery v. Shanghai Medicines and Health Products Import and

#4.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential and fraudulent transfers fr. 1/7/20, 3/24/20, 5/19/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/14/20. Since settlement of this and related actions was reached at the mediation before Judge Bluebond on 1/30/20, the status conference has been continued twice in order to implement the settlement. Even though economic activity has been lessened due to the pandemic, counsel should explain why the necessary claim releases for this and the related actions cannot be obtained since the pandemic conditions in Vietnam and China have lessened somewhat so that both countries have reopened to a greater extent than here. Appearances are required on 8/18/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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

Tuesday, August 18, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 5/15/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the global settlement which has been delayed to the pandemic. The court on its own motion continues the status conference to 8/18/20 at 1:30 p.m. No appearances are required on 5/19/20.

Prior tentative ruling as of 3/18/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the settlement and to allow additional time for plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 5/19/20 at 1:30 p.m. No appearances are required on 3/24/20.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference after the mediation between plaintiff and principals of debtor and related parties and allowing plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 3/24/20 at 1:30 p.m. No appearances are required on 1/7/20.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, August 18, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Shanghai Medicines and Health

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, August 18, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01475 Avery v. Van

#5.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential and fraudulent transfers fr. 1/7/20, 3/24/20, 5/19/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/14/20. Since settlement of this and related actions was reached at the mediation before Judge Bluebond on 1/30/20, the status conference has been continued twice in order to implement the settlement. Even though economic activity has been lessened due to the pandemic, counsel should explain why the necessary claim releases for this and the related actions cannot be obtained since the pandemic conditions in Vietnam and China have lessened somewhat so that both countries have reopened to a greater extent than here. Appearances are required on 8/18/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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**United States Bankruptcy Court
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Tuesday, August 18, 2020

Hearing Room 1675

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CONT... Kody Branch of California, Inc.

Chapter 7

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Prior tentative ruling as of 5/15/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the global settlement which has been delayed to the pandemic. The court on its own motion continues the status conference to 8/18/20 at 1:30 p.m. No appearances are required on 5/19/20.

Prior tentative ruling as of 3/18/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the settlement and to allow additional time for plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 5/19/20 at 1:30 p.m. No appearances are required on 3/24/20.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference after the mediation between plaintiff and principals of debtor and related parties and allowing plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 3/24/20 at 1:30 p.m. No appearances are required on 1/7/20.

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CONT... Kody Branch of California, Inc.

Chapter 7

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Trinh Thi Hong Van

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

**United States Bankruptcy Court
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2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01476 Avery v. Chau

#6.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential, fraudulent, unauthorized postpetition transfers; and disallowance of claim fr. 1/7/20, 3/24/20, 5/19/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/14/20. Since settlement of this and related actions was reached at the mediation before Judge Bluebond on 1/30/20, the status conference has been continued twice in order to implement the settlement. Even though economic activity has been lessened due to the pandemic, counsel should explain why the necessary claim releases for this and the related actions cannot be obtained since the pandemic conditions in Vietnam and China have lessened somewhat so that both countries have reopened to a greater extent than here. Appearances are required on 8/18/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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Prior tentative ruling as of 5/15/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the global settlement which has been delayed to the pandemic. The court on its own motion continues the status conference to 8/18/20 at 1:30 p.m. No appearances are required on 5/19/20.

Prior tentative ruling as of 3/18/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the settlement and to allow additional time for plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 5/19/20 at 1:30 p.m. No appearances are required on 3/24/20.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference after the mediation between plaintiff and principals of debtor and related parties and allowing plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 3/24/20 at 1:30 p.m. No appearances are required on 1/7/20.

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CONT... Kody Branch of California, Inc.

Chapter 7

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Cong Ty Tnhh Anh Chau

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

**United States Bankruptcy Court
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2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01477 Avery v. Shaoxing LeiLei Import & Export Company

#7.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of fraudulent, unauthorized postpetition transfers; and disallowance of claim fr. 1/7/20, 3/24/20, 5/19/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/14/20. Since settlement of this and related actions was reached at the mediation before Judge Bluebond on 1/30/20, the status conference has been continued twice in order to implement the settlement. Even though economic activity has been lessened due to the pandemic, counsel should explain why the necessary claim releases for this and the related actions cannot be obtained since the pandemic conditions in Vietnam and China have lessened somewhat so that both countries have reopened to a greater extent than here. Appearances are required on 8/18/20, but counsel and self-represented parties must appear by telephone.

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Chapter 7

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Prior tentative ruling as of 5/15/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the global settlement which has been delayed to the pandemic. The court on its own motion continues the status conference to 8/18/20 at 1:30 p.m. No appearances are required on 5/19/20.

Prior tentative ruling as of 3/18/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the settlement and to allow additional time for plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 5/19/20 at 1:30 p.m. No appearances are required on 3/24/20.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference after the mediation between plaintiff and principals of debtor and related parties and allowing plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 3/24/20 at 1:30 p.m. No appearances are required on 1/7/20.

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CONT... Kody Branch of California, Inc.

Chapter 7

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Shaoxing LeiLei Import & Export

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

**United States Bankruptcy Court
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2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01478 Avery v. Shaoxing Tuchang Knitting Textile Co., Ltd.

#8.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential fraudulent, unauthorized postpetition transfers; and disallowance of claim fr. 1/7/20, 3/24/20, 5/19/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/14/20. Since settlement of this and related actions was reached at the mediation before Judge Bluebond on 1/30/20, the status conference has been continued twice in order to implement the settlement. Even though economic activity has been lessened due to the pandemic, counsel should explain why the necessary claim releases for this and the related actions cannot be obtained since the pandemic conditions in Vietnam and China have lessened somewhat so that both countries have reopened to a greater extent than here. Appearances are required on 8/18/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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CONT... Kody Branch of California, Inc.

Chapter 7

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Prior tentative ruling as of 5/15/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the global settlement which has been delayed to the pandemic. The court on its own motion continues the status conference to 8/18/20 at 1:30 p.m. No appearances are required on 5/19/20.

Prior tentative ruling as of 3/18/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the settlement and to allow additional time for plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 5/19/20 at 1:30 p.m. No appearances are required on 3/24/20.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference after the mediation between plaintiff and principals of debtor and related parties and allowing plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 3/24/20 at 1:30 p.m. No appearances are required on 1/7/20.

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CONT... Kody Branch of California, Inc.

Chapter 7

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Shaoxing Tuchang Knitting Textile

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

**United States Bankruptcy Court
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Los Angeles
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1:30 PM

2:18-11148 Jong J Kim

Chapter 7

Adv#: 2:18-01134 Shon et al v. Kim et al

#9.00 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. 3/31/20, 5/5/20, 6/16/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/14/20. No tentative ruling on the merits. Since the status conference was continued due to the failure of one counsel to appear and the court decided not to sanction the attorney for his nonappearance, the court expects that counsel has met and confer regarding rescheduling further proceedings in this matter to be discussed at the status conference on 8/18/20. Appearances are required on 8/18/20, but counsel and self-represented parties must appear by telephone.

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**United States Bankruptcy Court
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CONT...

Jong J Kim

Chapter 7

the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 6/12/20. No tentative ruling on the merits. Appearances are required on 6/16/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Updated tentative ruling as of 5/1/20. No tentative ruling on the merits. Appearances are required on 5/5/20 to discuss the status of the adversary proceeding, including the status of mediation and settlement negotiations and if not settled, when a pretrial conference should be set, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United

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Jong J Kim

Chapter 7

States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion continues the status conference in this adversary proceeding scheduled for March 31, 2020 at 1:30 p.m. to May 5, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference is continued to May 5, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012. Counsel for plaintiff is ordered to give notice to the other parties.

Prior tentative ruling as of 10/21/19. Appearances are required on 10/22/19, but counsel may appear by telephone.

tentative ruling as of 6/24/19. Schedule a pretrial conference for this adversary proceeding if the matter is not being settled. Appearances are required on 6/25/19, but counsel may appear by telephone.

Prior tentative ruling as of 3/25/19. The court has reviewed the stipulation of the parties regarding continuance of scheduled dates and hearings filed on

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Chapter 7

2/27/19 and based on that stipulation, set a new discovery cutoff date of 5/29/19 and a post-discovery status conference on 6/25/19 at 1:30 p.m. (status conferences are held on Tuesdays at 1:30 p.m.) with a joint status report due on 6/18/19. Order the matter to mediation, and the parties to file a selection of mediator and alternate mediator by 4/15/19 and complete mediation by 6/25/19. No appearances are required on 9/18/18. Plaintiffs to submit a proposed scheduling order within 7 days.

Prior 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.

Party Information

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CONT... Jong J Kim

Chapter 7

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
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Tuesday, August 18, 2020

Hearing Room 1675

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2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01276 Goodrich v. Shemtov

- #10.00** Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542
fr. 3/31/20, 5/5/20, 6/30/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/14/20. The court has reviewed plaintiff's unilateral status report. The parties are to report on the status of the mediation previously ordered to be completed by 8/31/20 and the scheduling of the pretrial conference if the matter is not settled. Appearances are required on 8/18/20, but counsel and self-represented parties must appear by telephone.

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Central District of California
Los Angeles
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CONT... SOCALDEAL INC

Chapter 7

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Prior tentative ruling as of 6/26/20. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 6/30/20 to discuss the status of the adversary proceeding, including the status of the pending mediation and when a pretrial conference and other further proceedings should be set, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, this court is only conducting hearings with telephonic appearances for this matter and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted 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, August 18, 2020

Hearing Room 1675

1:30 PM

CONT... SOCALDEAL INC

Chapter 7

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

George Shemtov

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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

Tuesday, August 18, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01277 Goodrich v. Shemtov

- #11.00** Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542
fr. 3/31/20, 5/5/20, 6/30/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/14/20. The court has reviewed plaintiff's unilateral status report. The parties are to report on the status of the mediation previously ordered to be completed by 8/31/20 and the scheduling of the pretrial conference if the matter is not settled. Appearances are required on 8/18/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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

Tuesday, August 18, 2020

Hearing Room 1675

1:30 PM

CONT... SOCALDEAL INC

Chapter 7

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Party Information

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

Tuesday, August 18, 2020

Hearing Room 1675

1:30 PM

CONT... SOCALDEAL INC

Chapter 7

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Jack Shemtov

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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

Tuesday, August 18, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01278 Goodrich v. Shemtov

- #12.00** Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542
fr. 3/31/20, 5/5/20, 6/30/20

Docket 1

Tentative Ruling:

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

Tuesday, August 18, 2020

Hearing Room 1675

1:30 PM

CONT... SOCALDEAL INC

Chapter 7

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Party Information

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

Tuesday, August 18, 2020

Hearing Room 1675

1:30 PM

CONT... SOCALDEAL INC

Chapter 7

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Najid Shemtov

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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

Tuesday, August 18, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01279 Goodrich v. Shemtov

- #13.00** Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542
fr. 3/31/20, 5/5/20, 6/30/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/14/20. The court has reviewed plaintiff's unilateral status report. The parties are to report on the status of the mediation previously ordered to be completed by 8/31/20 and the scheduling of the pretrial conference if the matter is not settled. Appearances are required on 8/18/20, but counsel and self-represented parties must appear by telephone.

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, August 18, 2020

Hearing Room 1675

1:30 PM

CONT... SOCALDEAL INC

Chapter 7

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Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Rojeh Shemtov

Pro Se

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

Tuesday, August 18, 2020

Hearing Room 1675

1:30 PM

CONT... SOCALDEAL INC

Chapter 7

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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

Tuesday, August 18, 2020

Hearing Room 1675

1:30 PM

2:19-14907 Messiah Trucking, Inc.

Chapter 7

Adv#: 2:20-01086 Pringle v. Toll Global Forwarding (USA) Inc., a New York corp

#14.00 Cont'd hearing re: Motion for default judgment against defendant Toll Global Forwarding (USA), Inc.
fr. 6/16/20, 7/21/20

Docket 10

***** VACATED *** REASON: Order dismissing adversary proceeding entered on 8/5/20-mb.**

Tentative Ruling:

Off calendar. The motion is moot because the adversary proceeding was dismissed. No appearances are necessary.

Party Information

Debtor(s):

Messiah Trucking, Inc.

Represented By
Lane K Bogard

Defendant(s):

Toll Global Forwarding (USA) Inc.,

Pro Se

Plaintiff(s):

John P. Pringle

Represented By
Michelle A Marchisotto

Trustee(s):

John P Pringle (TR)

Represented By
Michelle A Marchisotto

Gary Gross

Pro Se

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

Tuesday, August 18, 2020

Hearing Room 1675

1:30 PM

2:19-14907 Messiah Trucking, Inc.

Chapter 7

Adv#: 2:20-01086 Pringle v. Toll Global Forwarding (USA) Inc., a New York corp

#15.00 Cont'd status conference re: Complaint for turnover of estate's property
fr. 6/16/20, 7/21/20

Docket 1

***** VACATED *** REASON: Order dismissing adversary proceeding
entered on 8/5/20-mb.**

Tentative Ruling:

Off calendar. The status conference is moot because the adversary proceeding was dismissed. No appearances are necessary.

Party Information

Debtor(s):

Messiah Trucking, Inc.

Represented By
Lane K Bogard

Defendant(s):

Toll Global Forwarding (USA) Inc.,

Pro Se

Plaintiff(s):

John P. Pringle

Represented By
Michelle A Marchisotto

Trustee(s):

John P Pringle (TR)

Represented By
Michelle A Marchisotto

Gary Gross

Pro Se

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

Tuesday, August 18, 2020

Hearing Room 1675

1:30 PM

2:19-15356 Ara Ohannes Keyllian

Chapter 7

Adv#: 2:19-01267 Ayrapetyan v. Keyllian

#16.00 Cont'd status conference re: Complaint for nondischargeability of debt pursuant to 11 U.S.C. §523(a)(6), 11 U.S.C. §523(a)(2)(A), 11 U.S.C. §727(a)(2)(A), and 11 U.S.C. §727(a)(4)(A)
fr. 3/31/20, 5/5/20, 6/30/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/14/20. No tentative ruling on the merits. Appearances are required on 8/18/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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

Tuesday, August 18, 2020

Hearing Room 1675

1:30 PM

CONT... Ara Ohannes Keyllian

Chapter 7

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Prior tentative ruling. No tentative ruling on the merits. Appearances are required on 6/30/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, this court is only conducting hearings with telephonic appearances for this matter and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Ara Ohannes Keyllian

Represented By
Eileen Keusseyan

Defendant(s):

Ara Keyllian

Pro Se

Plaintiff(s):

Anahid Ayrapetyan

Represented By
Linet Megerdomian

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 18, 2020

Hearing Room 1675

1:30 PM

CONT... Ara Ohannes Keyllian

Chapter 7

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

Tuesday, August 18, 2020

Hearing Room 1675

1:30 PM

2:19-22033 Grigor Avetisyan

Chapter 7

Adv#: 2:20-01097 United States Trustee (LA) v. Avetisyan

#17.00 Cont'd status conference re: Complaint for denial of discharge pursuant to 11 U.S.C. sections 727(a)(3), (a)(4)(A) and (D) and (a)(5) fr. 6/16/20

Docket 1

Tentative Ruling:

Off calendar. The status conference is moot because a default judgment has been entered in this adversary proceeding. No appearances are necessary.

Party Information

Debtor(s):

Grigor Avetisyan

Represented By
Richard A Avetisyan

Defendant(s):

Grigor Avetisyan

Pro Se

Plaintiff(s):

United States Trustee (LA)

Represented By
Kenneth G Lau

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 18, 2020

Hearing Room 1675

1:30 PM

2:19-24787 Bradley Edward Barnes

Chapter 7

Adv#: 2:20-01064 WVJP 2017-1, LP v. Barnes et al

#18.00 Cont'd status conference re: Complaint for 1. for false pretenses, a false representation or actual fraud pursuant to 11 U.S.C. §523(a)(6); in the alternative 2. for false pretenses, a false representation or actual fraud pursuant to 11 U.S.C. §523(a)(2)(A); 3. for false pretenses, a false representation or actual fraud pursuant to 11 U.S.C. §523(a)(2)(B); 4. for willful and malicious injury Y 11 U.S.C. §523(a)(6); 5. for determination that defendant's debts are not dischargeable pursuant to 11 U.S.C. §727(a)(2); 6. for a determination that defendant's debts are not dischargeable pursuant to 11 U.S.C. §727(a)(3); 7. for a determination that defendant's debts are not dischargeable pursuant to 11 U.S.C. §727(a)(4); and 8. for a determination that defendant's debts are not dischargeable pursuant to 11 U.S.C. §727(a)(5)
fr. 5/19/20, 6/16/20

Docket 1

Tentative Ruling:

Off calendar. The court has reviewed the joint status report filed on 8/12/20. In light of the pending stay of proceedings until 9/30/20 and that argument in the state court appeal has not been set, though the appeal has been fully briefed, the court determines that the parties and the court would be better served by conducting the status conference after the termination of the stay of proceedings on 9/30/20. Therefore, the court on its own motion continues the status conference to 10/6/20 at 1:30 p.m., at which time the parties can orally report on the status of the state court appeal and the other matters discussed in the joint status report filed on 8/12/20. The court waives the requirement of a written status report for the continued status conference on 10/6/20. No appearances are required on 8/18/20.

Party Information

Debtor(s):

Bradley Edward Barnes

Represented By
Susan I Montgomery

Defendant(s):

Bradley Edward Barnes

Pro Se

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

Tuesday, August 18, 2020

Hearing Room 1675

1:30 PM

CONT... Bradley Edward Barnes

Chapter 7

Allison Platz Barnes

Pro Se

Joint Debtor(s):

Allison Platz Barnes

Represented By
Susan I Montgomery

Plaintiff(s):

WVJP 2017-1, LP

Represented By
Joseph Chora

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 18, 2020

Hearing Room 1675

1:30 PM

2:19-20372 Lance Stuart Moreland and Care Jo Moreland

Chapter 7

#18.10 Hearing re: Debtor's motion to convert case under 11 U.S.C. 706(a) or 1112(a)

Docket 33

Tentative Ruling:

Updated tentative ruling as of 8/14/20. No tentative ruling on the merits. Debtors are to address the concerns raised by the court in its order setting hearing on the motion. Appearances are required on 8/18/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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

Tuesday, August 18, 2020

Hearing Room 1675

1:30 PM

CONT... Lance Stuart Moreland and Care Jo Moreland

Chapter 7

operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Lance Stuart Moreland

Represented By
Louis J Esbin

Joint Debtor(s):

Care Jo Moreland

Represented By
Louis J Esbin

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 18, 2020

Hearing Room 1675

2:30 PM

2:12-51208 Kathleen Kellogg-Taxe

Chapter 7

#19.00 Hearing re: Trustee's motion for order authorizing sale of note and deed of trust free and clear of liens and interests, subject to higher and better offers, and approving overbidding procedures

Docket 507

Tentative Ruling:

Trustee needs to clarify the proposed purchase price as the motion states that it is \$60,000, but Exhibit A to the motion, which is the written agreement, states that the purchase price is \$100,000. The court is inclined to grant trustee's motion for order authorizing sale of note and trust deed free and clear of liens, claims and interests, approving proposed overbid procedures and waiving 14 day stay on enforcement of the order on the motion under FRBP 6004(h) for the reasons stated in the moving papers and for lack of timely written opposition as the sale is within the reasonable business judgment of the trustee and that based on the trustee's investigation, there are no liens, claims and interests that the note and trust deed may be sold free and clear of liens, claims and interests pursuant to 11 U.S.C. 363(f)(2) and (3). No tentative ruling as to request for determination of buyer as good faith purchaser under 11 U.S.C. 363(m) since there may be overbidding and an auction to determine the final purchaser. Appearances are required on 8/18/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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

Tuesday, August 18, 2020

Hearing Room 1675

2:30 PM

CONT... Kathleen Kellogg-Taxe

Chapter 7

to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 6/8/20. No tentative ruling on the merits. The court will conduct the status conference in case that the United States Trustee or another party in interest has concerns regarding status. Appearances are required on 6/10/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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

Tuesday, August 18, 2020

Hearing Room 1675

2:30 PM

CONT... Kathleen Kellogg-Taxe

Chapter 7

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, August 18, 2020

Hearing Room 1675

2:30 PM

2:18-13759 Charles Peters

Chapter 11

#20.00 Hearing re: Motion to invalidate portion of lien of County of Riverside to secure 7claim of City of Beaumont FRBP 7001(2); FRBP 3012(c)

Docket 341

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 8/18/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large

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

Tuesday, August 18, 2020

Hearing Room 1675

2:30 PM

CONT... Charles Peters

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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**

Tuesday, August 18, 2020

Hearing Room 1675

2:30 PM

2:18-13759 Charles Peters

Chapter 11

#20.10 Cont'd hearing re: Debtor's motion to vacate order for relief from stay
fr. 8/5/20

Docket 342

Tentative Ruling:

Updated tentative ruling as of 8/14/20. No tentative ruling on the merits. Appearances are required on 8/18/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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

Tuesday, August 18, 2020

Hearing Room 1675

2:30 PM

CONT...

Charles Peters

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 8/3/20. No tentative ruling on the merits. Appearances are required on 8/5/20, but counsel and self-represented parties must 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**

Tuesday, August 18, 2020

Hearing Room 1675

2:30 PM

2:18-13759 Charles Peters

Chapter 11

#20.20 Cont'd hearing re: Motion for order approving disclosure statement describing chapter 11 plan of reorganization
fr. 4/29/20, 6/24/20, 8/5/20

Docket 257

Tentative Ruling:

Updated tentative ruling as of 8/14/20. No tentative ruling on the merits. The court notes that debtor filed a first amended disclosure statement on 8/11/20, but did not notice the amended disclosure statement for hearing. Appearances are required on 8/18/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the

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

Tuesday, August 18, 2020

Hearing Room 1675

2:30 PM

CONT...

Charles Peters

Chapter 11

scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 8/3/20. No tentative ruling on the merits. Appearances are required on 8/5/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large

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

Tuesday, August 18, 2020

Hearing Room 1675

2:30 PM

CONT... Charles Peters

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 4/27/20. No tentative ruling on the merits. Appearances are required on 4/29/20 to discuss the status of this matter, including whether debtor will be filing an amended disclosure statement in light of the current public health emergency, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Giovanni Orantes
Luis A Solorzano

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

Tuesday, August 18, 2020

Hearing Room 1675

2:30 PM

2:18-13759 Charles Peters

Chapter 11

#20.30 Cont'd status conference re: Management of chapter 11 case
fr. 4/29/20, 6/24/20, 8/18/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/14/20. No tentative ruling on the merits. Appearances are required on 8/18/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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

Tuesday, August 18, 2020

Hearing Room 1675

2:30 PM

CONT... Charles Peters

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Giovanni Orantes
Luis A Solorzano

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

Tuesday, August 18, 2020

Hearing Room 1675

2:30 PM

2:19-13181 Serapio Venegas

Chapter 7

Adv#: 2:20-01106 Brad D. Krasnoff, Chapter 7 Trustee v. Venegas

#21.00 Hearing re: Plaintiffs motion for default judgment under LBR 7055-1

Docket 12

Tentative Ruling:

Off calendar. Having considering the entry of default against defendant and the contents of the moving papers, the court determines that oral argument on plaintiff's motion for default judgment is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court grants the motion for the reasons stated in the moving papers. No appearances are required on 8/18/20. Plaintiff to lodge a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Serapio Venegas	Pro Se
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Defendant(s):

Serapio Venegas	Pro Se
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Plaintiff(s):

Brad D. Krasnoff, Chapter 7 Trustee	Represented By Sonia Singh
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Trustee(s):

Brad D Krasnoff (TR)	Represented By Eric P Israel Sonia Singh
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 19, 2020

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, 4/1/20, 5/13/20, 7/15/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/17/20. No tentative ruling on the merits. Appearances are required on 8/19/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court

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

Wednesday, August 19, 2020

Hearing Room 1675

11:00 AM

CONT... Brunelle Equities LLC

Chapter 11

hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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 19, 2020

Hearing Room 1675

11:00 AM

2:17-24737 Advance Specialty Care, LLC

Chapter 11

#2.00 Cont'd status conference re: Post confirmation of plan
fr. 10/16/19, 12/11/19, 4/8/20

Docket 255

Tentative Ruling:

Updated tentative ruling as of 8/17/20. No tentative ruling on the merits. Appearances are required on 8/19/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court

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

Wednesday, August 19, 2020

Hearing Room 1675

11:00 AM

CONT... Advance Specialty Care, LLC

Chapter 11

hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, August 19, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#3.00 Cont'd status conference re: Debtor's objection to proof of claim no. 6 filed by the Kody Branch of California Chapter 7 bankruptcy trustee
fr. 10/8/19, 2/19/20, 6/3/20

Docket 291

***** VACATED *** REASON: Cont'd from 8/19/20 to 11/18/20 at 11:00 a.m. per stip & order entered on 7/22/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 8/17/20. Off calendar. Continued by stipulation and order to 11/18/20 at 11:00 a.m. No appearances are required on 8/19/20.

Prior tentative ruling as of 2/18/20. Off calendar. Continued by stipulation and order to 6/3/20 at 11:00 a.m. No appearances are required on 2/19/20.

Prior tentative ruling. Treat as a contested matter under FRBP 9014 since there are material issues of disputed fact. Parties should be prepared to discuss an appropriate schedule of pretrial and trial proceedings. Appearances are required on 6/5/19, 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 19, 2020

Hearing Room 1675

11:00 AM

2:19-10119 David Lee

Chapter 11

#4.00 Hearing re: Motion for order authorizing debtor to obtain credit pursuant to Section 364(b) or (c)

Docket 325

Tentative Ruling:

Updated tentative ruling as of 8/17/20. Grant debtor's motion for authorization to obtain credit by incurring unsecured postpetition debt by acting as a personal guarantor for business loans to be taken out by his wholly owned corporations for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are required on 8/19/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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

Wednesday, August 19, 2020

Hearing Room 1675

11:00 AM

CONT...

David Lee

Chapter 11

number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

David Lee

Represented By
David A Tilem

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

Wednesday, August 19, 2020

Hearing Room 1675

11:00 AM

2:19-10119 David Lee

Chapter 11

#5.00 Cont'd status conference re: Management of chapter 11 case
fr. 12/11/19, 3/11/20, 7/22/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/17/20. No tentative ruling on the merits. Appearances are required on 8/19/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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

Wednesday, August 19, 2020

Hearing Room 1675

11:00 AM

CONT...

David Lee

Chapter 11

hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

David Lee

Represented By
Renee E Sanders

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

Wednesday, August 19, 2020

Hearing Room 1675

11:00 AM

2:19-10297 Roger Timothy Ruiz

Chapter 11

#6.00 Hearing re: Application for payment of final fees and/or expenses (11 U.S.C. §330) for Marc D. Vigil of Budget Bookkeeping & Income Tax Services, Inc., Accountant

Docket 113

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the final fee application of tax preparer/accountant for debtor in possession, the court determines that oral argument on the final fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final fee application, rules on the final fee application on the papers, and approves the final fee application for the reasons stated in the final fee application and for lack of timely written opposition. No appearances are required on 8/19/20. Debtor or applicant must lodge a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Roger Timothy Ruiz

Represented By
Marcus G Tiggs

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

Wednesday, August 19, 2020

Hearing Room 1675

11:00 AM

2:19-10297 Roger Timothy Ruiz

Chapter 11

#7.00 Hearing re: Motion in chapter 11 case for the entry of a final decree and order closing case

Docket 111

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the motion of debtor in possession for entry of final decree and order closing the case, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the motion, rules on the motion on the papers, and approves the motion for the reasons stated in the motion and for lack of timely written opposition. No appearances are required on 8/19/20. Debtor must lodge a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Roger Timothy Ruiz

Represented By
Marcus G Tiggs

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

Wednesday, August 19, 2020

Hearing Room 1675

11:00 AM

2:19-10297 Roger Timothy Ruiz

Chapter 11

#8.00 Status conference re: Post confirmation of plan
fr. 12/4/19, 3/4/20, 4/8/20

Docket 94

Tentative Ruling:

Off calendar. Because the court's tentative ruling on the motion of debtor in possession for entry of final decree and an order closing the case on calendar on 8/19/20 is to grant that motion for the reasons stated in the moving papers and for lack of timely written opposition, there is no need for a postconfirmation status conference, which would become moot upon granting of the motion. No appearances are required on 8/19/20.

Party Information

Debtor(s):

Roger Timothy Ruiz

Represented By
Marcus G Tiggs

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

Wednesday, August 19, 2020

Hearing Room 1675

11:00 AM

2:13-28671 Elbiali Ismail Osman

Chapter 11

- #8.10** Cont'd hearing re: California Department of Tax and Fee Administration's motion to dismiss chapter 11 bankruptcy case for cause under 11 U.S.C. 1112 or in the alternative to convert case to chapter 7
fr. 6/3/20, 7/15/20, 8/5/20

Docket 311

Tentative Ruling:

Updated tentative ruling as of 8/17/20. No tentative ruling on the merits. Debtor should report on the status of its refinancing transaction and payment of the claims of the California Department of Tax and Fee Administration, which would resolve the pending motion to dismiss or convert. Appearances are required on 8/19/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall,

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

Wednesday, August 19, 2020

Hearing Room 1675

11:00 AM

CONT... Elbiali Ismail Osman

Chapter 11

on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Elbiali Ismail Osman

Represented By

Carlos F Negrete - INACTIVE -

Alan W Forsley

Robert G Uriarte

Raymond H. Aver

Movant(s):

California Department of Tax and

Represented By

Teaira L Law

Lisa W Chao

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

Wednesday, August 19, 2020

Hearing Room 1675

11:00 AM

2:13-28671 Elbiali Ismail Osman

Chapter 11

#8.20 Cont'd status conference re: Post confirmation of plan
fr. RN, 6/3/20, 7/15/20, 8/5/20

Docket 298

Tentative Ruling:

Updated tentative ruling as of 8/17/20. No tentative ruling on the merits. Debtor should report on the status of its refinancing transaction and payment of the claims of the California Department of Tax and Fee Administration, which has a pending motion to dismiss or convert which motion may impact the status of this case.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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

Wednesday, August 19, 2020

Hearing Room 1675

11:00 AM

CONT...

Elbiali Ismail Osman

Chapter 11

States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, August 19, 2020

Hearing Room 1675

11:30 AM

2:12-15626 Forbco Sizzler Partners, L.P.

Chapter 11

#9.00 Cont'd status conference re: Post confirmation of plan
fr. 4/15/20, 5/6/20, 7/22/20

Docket 1

Tentative Ruling:

Revised and updated tentative ruling as of 7/20/20. The court will call this matter first on the calendar because counsel for the IRS, Gavin Greene, has requested priority because he has another hearing at the same time, so the parties should be ready for the hearing when the calendar begins at 11:00 a.m.

The court has reviewed debtor's status report filed on 7/15/20. The court notes that the IRS lodged an order for conversion of the Forbco Sizzler case to Chapter 7 on 7/7/20. No tentative ruling on the merits. Appearances are required on 7/22/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through August 31, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing,

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

Wednesday, August 19, 2020

Hearing Room 1675

11:30 AM

CONT... Forbco Sizzler Partners, L.P.

Chapter 11

preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 5/4/20. The court has reviewed debtors' status report. No tentative ruling on the merits. Appearances are required on 5/6/20 to discuss the status of debtors' efforts to sell their assets and their tax and plan compliance, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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 19, 2020

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.

#10.00 Cont'd hearing by Zoom re: Issues raised by the disputes over the proposed scheduling order lodged by the Plan Agent, including the deletion of the proposed language of paragraph 11 of the Plan Agent's proposed scheduling order and the objections of Victor Sahn and Douglas Christmas to their further depositions for matters relating to or arising out of the New Cause of Action
fr. 5/6/20, 6/24/20, 7/22/20

Docket 689

Tentative Ruling:

Updated tentative ruling as of 8/17/20. All counsel and parties intending to participate in the hearing must do so via Zoom for Government. Appearances are required on 8/19/20 and the videoconference resources are included below:

Zoom Meeting ID: 161 511 1560 and Password ?9knfx.

Updated tentative ruling as of 7/20/20. No tentative ruling on the merits. Appearances are required on 7/22/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the

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

Wednesday, August 19, 2020

Hearing Room 1675

1:30 PM

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

COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through August 31, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Art and Architecture Books of the

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

Defendant(s):

Ace Gallery New York Corporation,

Represented By
Alan W Forsley

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, August 19, 2020

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 Ronald Rus Fahim Farivar Brian L Davidoff Keith Patrick Banner
Jennifer Kellen	Represented By J. Bennett Friedman
Michael D. Smith	Represented By Brian L Davidoff
Kamran Gharibian	Represented By Brian L Davidoff
Daryoush Dayan	Represented By Brian L Davidoff
Cathay Bank, a California	Represented By Ekwan E Rhow Elliot C Harvey Schatmeier
Jennifer Kellen	Represented By Michael D Sobkowiak

Plaintiff(s):

THE OFFICIAL COMMITTEE OF	Represented By Victor A Sahn Daniel A Lev David J Richardson Asa S Hami Jessica Vogel
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 19, 2020

Hearing Room 1675

1:30 PM

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
Jason Balitzer
Steven Thomas
Stephen Sorensen

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

Wednesday, August 19, 2020

Hearing Room 1675

2:00 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.

#11.00 Technical pretrial conference by Zoom re: Application of Sam S. Leslie, plan agent, for issuance of order approving the issuance of writ of execution and appointment of plaintiff as substitute custodian for U.S. Marshal in furtherance of execution of writ and notice of levy; and for order approving sale of artworks free and clear of any claim of lien or interest fr. 4/28/20, 5/6/20, 5/14/20

Docket 713

Tentative Ruling:

Updated tentative ruling as of 8/17/20. All counsel and witnesses must participate in the pre-trial testing to determine that each participant's audio and video capabilities are functional for the evidentiary hearing to be scheduled. The court requests that the parties conduct the pre-trial testing from their intended location on the day of the trial. Appearances are required on 8/19/20 and the videoconference resources are included below:

Zoom Meeting ID: 161 511 1560 and Password ?9knfx

Prior tentative ruling as of 5/8/20. No tentative ruling on the merits. Appearances are required on 5/14/20 to discuss scheduling discovery proceedings and an evidentiary hearing on the Banksy artwork ownership dispute, counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, August 19, 2020

Hearing Room 1675

2:00 PM

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

20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Art and Architecture Books of the	Represented By Thomas M Geher David W. Meadows Jerome S Cohen Carolyn A Dye Alan I Nahmias
-----------------------------------	---

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 Ronald Rus Fahim Farivar Brian L Davidoff Keith Patrick Banner
Jennifer Kellen	Represented By J. Bennett Friedman
Michael D. Smith	Represented By

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

Wednesday, August 19, 2020

Hearing Room 1675

2:00 PM

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

Brian L Davidoff

Kamran Gharibian

Represented By
Brian L Davidoff

Daryoush Dayan

Represented By
Brian L Davidoff

Cathay Bank, a California

Represented By
Ekwan E Rhow
Elliot C Harvey Schatmeier

Jennifer Kellen

Represented By
Michael D Sobkowiak

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
Steven Thomas
Stephen Sorensen

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

Thursday, August 20, 2020

Hearing Room 1675

1:30 PM

2:20-10950 Richard B. Dorfman

Chapter 7

#1.00 Hearing re: Order directing Sherri Box, James Box and their attorney Behrouz Shafie, Esquire to show cause why they should not be held in contempt for violating the discharge order and discharge injunction

Docket 44

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 8/20/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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

Thursday, August 20, 2020

Hearing Room 1675

1:30 PM

CONT... Richard B. Dorfman

Chapter 7

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Richard B. Dorfman

Represented By
Raymond H. Aver

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 20, 2020

Hearing Room 1675

2:00 PM

2:20-12051 Reyna Maria Taylor

Chapter 7

#2.00 Cont'd hearing re: Motion for Monetary and Other Sanctions Under 11 USC 303(i), (k)
fr. 5/5/20

Docket 12

***** VACATED *** REASON: Notice of withdrawal filed on 5/29/20-mb.**

Tentative Ruling:

Off calendar. Motion withdrawn. No appearances are required on 8/20/20.

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, August 25, 2020

Hearing Room 1675

2:30 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.

- #1.00** Cont'd hearing by re: Issues raised by the disputes over the proposed scheduling order lodged by the Plan Agent, including the deletion of the proposed language of paragraph 11 of the Plan Agent's proposed scheduling order and the objections of Victor Sahn and Douglas Christmas to their further depositions for matters relating to or arising out of the New Cause of Action
fr. 5/6/20, 6/24/20, 7/22/20, 8/19/20

Docket 689

Tentative Ruling:

Updated tentative ruling as of 8/21/20. No tentative ruling on the merits regarding safety protocols for the taking of the deposition of a witness affiliated with 400 South La Brea defendants. Appearances of counsel for the plan agent representing the party noticing the deposition and counsel for the 400 South La Brea defendants representing the party witness deponent are required on 8/25/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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

Tuesday, August 25, 2020

Hearing Room 1675

2:30 PM

CONT...

Art and Architecture Books of the 21st Century

Chapter 11

parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 8/17/20. All counsel and parties intending to participate in the hearing must do so via Zoom for Government. Appearances are required on 8/19/20 and the videoconference resources are included below:

Zoom Meeting ID: 161 511 1560 and Password ?9knfx.

Updated tentative ruling as of 7/20/20. No tentative ruling on the merits. Appearances are required on 7/22/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in

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

Tuesday, August 25, 2020

Hearing Room 1675

2:30 PM

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

person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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Party Information

Debtor(s):

Art and Architecture Books of the

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

Defendant(s):

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**

Tuesday, August 25, 2020

Hearing Room 1675

2:30 PM

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
Michael D. Smith	Represented By Brian L Davidoff
Kamran Gharibian	Represented By Brian L Davidoff
Daryoush Dayan	Represented By Brian L Davidoff
Cathay Bank, a California	Represented By Ekwan E Rhow Elliot C Harvey Schatmeier
Jennifer Kellen	Represented By Michael D Sobkowiak

Plaintiff(s):

THE OFFICIAL COMMITTEE OF	Represented By Victor A Sahn Daniel A Lev David J Richardson
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 25, 2020

Hearing Room 1675

2:30 PM

CONT...

Art and Architecture Books of the 21st Century

Chapter 11

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

Steven Thomas

Stephen Sorensen

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

Tuesday, September 1, 2020

Hearing Room 1675

10:30 AM

2:20-14605 David Hickman

Chapter 7

#1.00 Cont'd hearing re: Motion for relief from stay
(First Financial Credit Union VS Debtor)
fr. 8/4/20

Docket 9

Tentative Ruling:

Updated tentative ruling as of 8/28/20. Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 9/1/20. Movant to submit a proposed order within 7 days of hearing.

Prior tentative ruling as of 7/31/20. Service of the motion is insufficient because the proof of service does not show service on the debtor as required by Local Bankruptcy Rule 4001-1(c)(1)(C), which requires service of a stay relief motion on both debtor and debtor's counsel. Movant will need to serve on debtor an amended notice of motion at least 21 days before a renoticed hearing. Appearances are required on 8/4/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the

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

Tuesday, September 1, 2020

Hearing Room 1675

10:30 AM

CONT... David Hickman

Chapter 7

COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

David Hickman

Represented By
Terrence Fantauzzi

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 1, 2020

Hearing Room 1675

10:30 AM

2:20-14618 Maria De los Anjeles Rincon

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Honda Lease Trust VS Debtor)

Docket 9

***** VACATED *** REASON: Settled by sitpulation per order entered on
8/21/20-mb.**

Tentative Ruling:

Off calendar. Motion settled by stipulated order. No appearances are necessary.

Party Information

Debtor(s):

Maria De los Anjeles Rincon

Represented By
Jaime A Cuevas Jr.

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 1, 2020

Hearing Room 1675

10:30 AM

2:20-15764 Joseph C. Miskiel and Davida E. Miskiel

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(Ford Motor Credit Company LLC VS Debtors)

Docket 12

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 9/1/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Joseph C. Miskiel

Represented By
Steven B Lever

Joint Debtor(s):

Davida E. Miskiel

Represented By
Steven B Lever

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 1, 2020

Hearing Room 1675

10:30 AM

2:20-15946 Neil Dixon Telan Pascua

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(Honda Lease Trust VS Debtor)

Docket 9

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 9/1/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Neil Dixon Telan Pascua

Represented By
Steven A Alpert

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 1, 2020

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

#5.00 Cont'd conference re: Complaint to determine non-dischargeability of debt and for denial of discharge
fr. 9/17/19, 5/5/20, 6/30/20

Docket 1

***** VACATED *** REASON: Judgment entered on 8/3/20 - mb.**

Tentative Ruling:

Updated tentative ruling as of 8/28/20. Off calendar. The pretrial conference is moot because judgment was entered on 8/3/20. No appearances are required on 9/1/20.

Party Information

Debtor(s):

Rama Krishna Chaparala

Represented By
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 1, 2020

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

#6.00 Cont'd pretrial conference re: Complaint for the avoidance and recovery of fraudulent transfers
fr. 3/10/20, 5/5/20, 6/30/20

Docket 1

Tentative Ruling:

Revised tentative ruling as of 8/30/20. Off calendar. The court has reviewed plaintiff's unilateral status report, stating that it will be proceeding with dismissing the action which can be accomplished by filing a notice of voluntary dismissal pursuant to FRBP 7041 and FRCP 41(a)(1)(A)(i). The court on its own motion continues the status conference to 10/27/20 at 1:30 p.m. pending the filing of the notice of voluntary dismissal. No appearances are required on 9/1/20.

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

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, September 1, 2020

Hearing Room 1675

1:30 PM

CONT...

Rama Krishna Chaparala

Michael Fischer

Chapter 7

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

Tuesday, September 1, 2020

Hearing Room 1675

1:30 PM

2:16-15692 Rama Krishna Chaparala

Chapter 7

Adv#: 2:18-01124 Ehrenberg v. Chaparala

#7.00 Cont'd pretrial conference re: Complaint for the avoidance and recovery of fraudulent transfers
fr. 9/17/19, 5/5/20, 6/30/20

Docket 1

Tentative Ruling:

Revised tentative ruling as of 8/30/20. Off calendar. The court has reviewed plaintiff's unilateral status report, stating that he will be proceeding with dismissal of the action. However, because defendant served and filed an answer, FRBP 7041 and FRCP 41(a)(1)(A)(ii) and (2) requires a stipulation with defendant to dismiss without court order or a motion for a court order dismissing the action. The court on its own motion continues the status conference to 10/27/20 at 1:30 p.m. pending the filing of a stipulation or motion for dismissal. No appearances are required on 9/1/20.

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

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

Tuesday, September 1, 2020

Hearing Room 1675

1:30 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, September 1, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01435 Goodrich v. Amazon Loan Services

#8.00 Cont'd status conference re: Complaint for: 1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; 2) Recovery of property pursuant to 11 U.S.C. § 550; 3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; 4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and 5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 4/7/20, 6/02/20, 7/21/20

Docket 1

***** VACATED *** REASON: Cont'd from 9/1/20 to 9/29/20 at 1:30 p.m.
per stip & order entered on 6/19/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 9/29/20 at 1:30 p.m. No appearances are required on 9/1/20.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Amazon Loan Services

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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

Tuesday, September 1, 2020

Hearing Room 1675

1:30 PM

2:18-22570 Ashley Latimer

Chapter 7

Adv#: 2:19-01284 Avery v. Latimer, III

#9.00 Cont'd status conference re: Complaint: (1) To Avoid Preferences and Recover Fraudulently Transferred Property 11 U.S.C. §§ 544(b); 550; Federal Debt Collection Procedures Act of 1990 (FDCPA), 28 U.S.C. §§ 3001, et seq; (2) For Avoidance of Transfer Under 11 U.S.C. § 544(a)93); (3) For Recovery of Avoided Transfers Under 11 U.S.C. § 550; and (4) To Preserve Transfer for the Benefit of the Estate Pursuant to 11 U.S.C. § 551
fr. 12/10/19, 1/7/20, 3/3/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/28/20. Off calendar. The court has reviewed the joint status report, stating that the matter is being settled. The court on its own motion continues the status conference to 10/27/20 at 1:30 p.m. pending the payment of the settlement and submission of a stipulation and proposed order for dismissal pursuant to the settlement. No appearances are required on 9/1/20.

Party Information

Debtor(s):

Ashley Latimer

Represented By
Lane K Bogard

Defendant(s):

Robert Whitney Latimer II

Pro Se

Plaintiff(s):

Wesley H. Avery

Represented By
David M Goodrich

Trustee(s):

Wesley H Avery (TR)

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, September 1, 2020

Hearing Room 1675

1:30 PM

CONT...

Ashley Latimer

Ryan W Beall
David M Goodrich

Chapter 7

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

Tuesday, September 1, 2020

Hearing Room 1675

1:30 PM

2:19-23349 Lianna Simonyan

Chapter 7

Adv#: 2:20-01032 Strategic Funding Source, Inc., a New York corpora v. Simonyan

#10.00 Cont'd status conference re: Complaint to determine nondischargeability of debt
[11 U.S.C. §§ 523(a)(2) and (a)(6)]
fr. 4/28/20, 6/30/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/28/20. Off calendar. The court continues the status conference on its own motion to 9/8/20 at 2:30 p.m. to be conducted with the continued hearing on plaintiff's motion for default judgment. No appearances are required on 9/1/20.

Prior tentative ruling. No tentative ruling on the merits. Appearances are required on 6/30/20 to discuss the status of the adversary proceeding, including when plaintiff will file a motion for default judgment and setting of further proceedings, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, this court is only conducting hearings with telephonic appearances for this matter and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, September 1, 2020

Hearing Room 1675

1:30 PM

CONT... Lianna Simonyan

Chapter 7

Debtor(s):

Lianna Simonyan

Represented By
Aidan Butler

Defendant(s):

Lianna Simonyan

Pro Se

Plaintiff(s):

Strategic Funding Source, Inc., a

Represented By
Brian T Harvey

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 1, 2020

Hearing Room 1675

2:00 PM

2:18-23326 Alfred Lee Stringer

Chapter 7

Adv#: 2:19-01053 Lee et al v. Stringer

- #11.00** Pretrial conference re: Adversary complaint for determination of dischargeability and objection to debtor's discharge pursuant to 11 U.S.C. §§ 523(a)(2)(A) and 523(a)(6), for attorney's fees and costs
fr. 4/30/19, 8/27/19, 12/03/19

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/28/20. Off calendar. The court on its own motion continues the pretrial conference to 9/8/20 at 2:30 p.m. to be conducted with the hearing on motion of counsel for defendant to withdraw in this adversary proceeding, which motion may have an impact on how the pretrial conference will proceed. No appearances are required on 9/1/20.

Prior tentative ruling as of 12/2/19. No tentative ruling on the merits. Appearances are required on 12/3/19, 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 8/26/19. No tentative ruling on the merits. Appearances are required on 8/27/19, 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. Appearances are required on 4/30/19 to address why monetary sanctions of \$100 should not be imposed each on counsel for plaintiffs and defendant who is self-represented for failure to file a joint status report as required by Local Bankruptcy Rule 7016-1 and the court's order setting initial status conference filed and entered on 2/21/19.

Party Information

Debtor(s):

Alfred Lee Stringer

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, September 1, 2020

Hearing Room 1675

2:00 PM

CONT... Alfred Lee Stringer

Chapter 7

Defendant(s):

Alfred Lee Stringer

Pro Se

Plaintiff(s):

Mylaunna Lee

Represented By
Albert L Chaney III

Sharlet Marie Lee

Represented By
Albert L Chaney III

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Courtroom 1675 Calendar**

Tuesday, September 1, 2020

Hearing Room 1675

2:30 PM

2:11-43502 Henry Isaac Bushkin

Chapter 7

#12.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[John J. Menchaca, Chapter 7 Trustee]

Docket 168

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the successor trustee's final report and fee application, the court determines that oral argument on the final report and fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final report and fee application, rules on the final report and fee application on the papers, and approves the final report and fee application for the reasons stated in the final report and fee application and for lack of timely written opposition. No appearances are required on 9/1/20. Trustee to lodge a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Henry Isaac Bushkin

Represented By
Leslie A Cohen

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, September 1, 2020

Hearing Room 1675

2:30 PM

2:11-43502 Henry Isaac Bushkin

Chapter 7

#13.00 Hearing re: Application for fees and expenses
[Danning, Gill, Israel & Krasnoff, LLP, Attorney for Former Chapter 7 Trustee]

Docket 163

Tentative Ruling:

Revised and updated tentative ruling as of 8/31/20. Off calendar. In light of the lack of any timely written opposition to the second and final fee application of general bankruptcy counsel for the former trustees, the court determines that oral argument on the final report and fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final fee application, rules on the final fee application on the papers, and approves the final fee application for the reasons stated in the final fee application and for lack of timely written opposition. No appearances are required on 9/1/20. Applicant or trustee to lodge a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Henry Isaac Bushkin

Represented By
Leslie A Cohen

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, September 1, 2020

Hearing Room 1675

2:30 PM

2:11-43502 Henry Isaac Bushkin

Chapter 7

#14.00 Hearing re: Application for fees and expenses
[Grobstein Teeple, LLP, Accountant for Chapter 7 Trustee]

Docket 165

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the final fee application of accountant for the trustee, the court determines that oral argument on the final report and fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final fee application, rules on the final fee application on the papers, and approves the final fee application for the reasons stated in the final fee application and for lack of timely written opposition. No appearances are required on 9/1/20. Applicant or trustee to lodge a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Henry Isaac Bushkin

Represented By
Leslie A Cohen

Trustee(s):

John J Menchaca (TR)

Pro Se

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

2:30 PM

2:11-43502 Henry Isaac Bushkin

Chapter 7

#15.00 Hearing re: Application for fees and expenses
[Snell & Wilmer L.L.P., Special Counsel for Former Chapter 7 Trustee]

Docket 138

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the final fee application of special intellectual property counsel for the trustee, the court determines that oral argument on the final report and fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final fee application, rules on the final fee application on the papers, and approves the final fee application for the reasons stated in the final fee application and for lack of timely written opposition. No appearances are required on 9/1/20. Applicant or trustee to lodge a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Henry Isaac Bushkin

Represented By
Leslie A Cohen

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, September 1, 2020

Hearing Room 1675

2:30 PM

2:12-15626 Forbco Sizzler Partners, L.P. and W & J Higgins

Chapter 11

#16.00 Hearing re: Motion for order (1) Approving Asset Purchase Agreement and Authorizing Sale of Debtor's Assets Free and Clear of Liens, Claim and Interests Pursuant to 11 U.S.C. § 363(b) and (f); (2) Assuming and Assigning Certain Executory Contracts and an Unexpired Lease; (3) Approving Buyer, Successful Bidder, and any Back-Up Bidder, as Good-Faith Purchasers Pursuant to 11 U.S.C. § 363(m); and (4) Authorizing Payment of Undisputed Liens and Other Ordinary Costs of Sale

Docket 52

Tentative Ruling:

Revised and updated tentative ruling as of 9/1/20 at 11:45 a.m. Deny reorganized debtor's motion to sell assets as to relief under 11 U.S.C. 363 for sale free and clear of liens, claims and interests for lack of jurisdiction; however, no tentative ruling as to whether the court should approve the sale otherwise under the Bankruptcy Code and Rules pursuant to the confirmed plan. 11 U.S.C. § 363 authorizes a trustee or debtor in possession to sell property of the estate free and clear. Section 363 only applies during the pendency of a chapter 11 case and before confirmation of a plan. In re Golf, LLC, 322 B.R. 874, 877 (Bankr. D. Neb. 2004) ("It appears to the undersigned that this court has no continuing jurisdiction with regard to the type of sale that is before the court, because Section 363(f) is not operational once the plan is confirmed."); In re Sterling WH Co., LLC, 475 B.R. 481, 487 (Bankr. E.D. Va. 2012) ("The provisions of §363 are available only to a trustee or debtor-in-possession, not a reorganized debtor."); In re Altmeyer, 2014 WL 4959146, at *2 (Bankr. S.D. Ill. Oct. 2, 2014) (citing In re Golf, LLC); see, e.g., In re Celebrity Home Entertainment, Inc., 210 F.3d 995, 998 (9th Cir. 2000) ("A bankruptcy estate usually ceases to exist after a reorganization plan is confirmed.") (citing 11 U.S.C. § 1141(b) and Hillis Motors, Inc. v. Hawaii Auto. Dealers' Ass'n, 997 F.2d 581, 587 (9th Cir.1993) (stating that confirmation terminates the existence of the bankruptcy estate unless the plan provides for the estate to continue)); see also, In re Consolidated Pioneer Mortgage Entities, 248 B.R. 368, 381-383 (9th Cir. BAP 2000). This case is a slight variation on the theme of cessation of the existence of the Chapter 11 estate upon plan confirmation. As the Ninth Circuit recognized in Hillis Motors, "[a]

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CONT... **Forbco Sizzler Partners, L.P. and W & J Higgins**

Chapter 11

lthough it is normally the case that once a plan is confirmed the estate ceases to exist, it is not always so." 997 F.2d at 587 (citation and footnote omitted). "The reversion of property from the estate to the debtor upon confirmation contained in 11 U.S.C. § 1141(b) is explicitly subject to the provisions of the plan." Id. (citation omitted). In the Hillis Motors and Consolidated Pioneer Mortgage Entities cases, the Ninth Circuit and the Ninth Circuit BAP held that under the specific facts and the plans in those cases, the bankruptcy estate continued postconfirmation, so that the automatic stay remained in effect as to the property of the estate, and a postconfirmation estate existed for a Chapter 7 trustee to administer upon conversion from Chapter 11 to 7. Thus, it appears to the court whether Section 363 relief is available postconfirmation depends on the continuing existence of the bankruptcy estate, which is a plan specific and fact specific determination. Here, the facts of this case under the specific provisions of the confirmed plan are distinguishable from Hillis Motors and Consolidated Pioneer Mortgage Entities because (1) the plan provisions specifically provided for the revesting of assets in the reorganized debtor as well as the discharge under 11 U.S.C. 1141 upon the effective date, which occurred in this case, which in turn terminated the estate; (2) the plan provisions specifically provided for the discharge of debtor's preconfirmation debts under 11 U.S.C. 1141 upon the effective date, which occurred in this case, which in turn rendered the revested assets free and clear of liens, claims and interests of preexisting creditors; (3) under the plan, there is no general postconfirmation bankruptcy court supervision of the business affairs of the reorganized debtor; (4) under the plan, there is no bankruptcy court supervision of ordinary course or unobjected to out of ordinary course post-effective date dispositions of assets of the reorganized debtor; (5) there is only bankruptcy court supervision of out of ordinary course of business post-effective date dispositions of assets of the reorganized debtor objected to by post-effective date notice parties based on determinations in accordance with the Bankruptcy Code and Bankruptcy Rules; and (6) the plan did not specifically provide for postconfirmation Section 363 sales free and clear. However, it could be argued that Hillis Motors and Consolidated Pioneer Mortgage Entities are not distinguishable that there is a continuing bankruptcy estate in this case because the plan provides for bankruptcy court approval of objected to out of ordinary course asset dispositions and for the retention of

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2:30 PM

CONT... **Forbco Sizzler Partners, L.P. and W & J Higgins** **Chapter 11**

bankruptcy court jurisdiction "in order to ensure the purposes and intent of this Plan are carried out", but it seems to this court on balance, that these attributes are outweighed by the other ones indicating the termination of the bankruptcy estate and jurisdiction to grant Section 363 relief.

Thus, the court lacks authority to allow a Section 363 sale, free and clear, because the confirmed plan revested the property of the bankruptcy estate in the reorganized debtor on 4/29/16, the effective date of the plan, pursuant to the second amended plan, section 11.6 (Case No. 2:12-bk-15625, Docket No. 559), and the plan confirmation order, paragraph 29 (Case No. 2:12-bk-15625, Docket No. 636) and the notice of plan effective date filed on 4/29/16 (Case No. 2:12-bk-15625-RK, Docket No. 1048). Based on the above authorities, the court would determine that it lacks jurisdiction to authorize relief under 11 U.S.C. 363. However, the plan provisions in sections 6.16 and 6.6.4 do provide for the court issuing an order allowing the sale of assets outside the ordinary course of business if there is an objection by "a post effective date notice party", as is the case here, that is, Sizzler Franchise USA, so the court has authority to issue an order for sale, but cannot grant Section 363 relief. The confirmed plan provides that the court should determine an objected to motion for approval of an out of ordinary course sale of assets of the reorganized debtor pursuant to the Bankruptcy Code and Bankruptcy Rules as provided in section 6.16 of the plan governing approval of disposition of assets. Any sale of assets may put debtor in breach of its contractual agreement with Sizzler Franchise USA as that creditor contends, which contention is disputed by debtor. The contractual dispute is probably a state law issue for the state court in a future contract action, but there does not seem to be anything in the lease agreement that prohibits assignment of the lease by debtor. The policy question for the court is how the court determines the objected to sale motion pursuant to the Bankruptcy Code and Bankruptcy Rules in light of the retention of jurisdiction of the court in paragraph 31 of the plan confirmation order "in order to ensure the purposes and intent of this Plan are carried out" (i.e., is an alleged breach of contract under state law dispositive of the court's determination of the objected to sale motion to be determined pursuant to the Bankruptcy Code and Bankruptcy Rules?).

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2:30 PM

CONT... Forbco Sizzler Partners, L.P. and W & J Higgins

Chapter 11

Regarding Sizzler Franchise USA's argument about lack of 21 days notice of hearing, it appears that it was not prejudiced by the service of the amended motion in that the original motion put it on notice of the substance of the relief sought by the motion and the amended motion was to include certain tables of contents and authorities. While Sizzler Franchise USA may have a valid technical objection, it was accorded due process in that it received service of the original motion minus tables 21 days before the hearing.

Appearances are required on 9/1/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
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2:30 PM

CONT... Forbco Sizzler Partners, L.P. and W & J Higgins

Chapter 11

connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Forbco Sizzler Partners, L.P.

Represented By
Sean A OKeefe
Alastair M Gesmundo
David M Goodrich

W & J Higgins Investments L.P., a

Represented By
David M Goodrich

**United States Bankruptcy Court
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2:30 PM

2:12-15626 Forbco Sizzler Partners, L.P.

Chapter 11

#16.10 Cont'd status conference re: Post confirmation of plan
fr. 5/6/20, 7/22/20, 8/19/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/28/20. No tentative ruling on the merits. Appearances are required on 9/1/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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CONT... Forbco Sizzler Partners, L.P.

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Revised and updated tentative ruling as of 7/20/20. The court will call this matter first on the calendar because counsel for the IRS, Gavin Greene, has requested priority because he has another hearing at the same time, so the parties should be ready for the hearing when the calendar begins at 11:00 a.m.

The court has reviewed debtor's status report filed on 7/15/20. The court notes that the IRS lodged an order for conversion of the Forbco Sizzler case to Chapter 7 on 7/7/20. No tentative ruling on the merits. Appearances are required on 7/22/20, but counsel and self-represented parties must appear by telephone.

Party Information

Debtor(s):

Forbco Sizzler Partners, L.P.

Represented By
Robert E Opera
Sean A OKeefe

**United States Bankruptcy Court
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Tuesday, September 1, 2020

Hearing Room 1675

2:30 PM

2:18-13057 Anna J Bowes

Chapter 7

#17.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Jason M. Rund, Chapter 7 Trustee]

Docket 106

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the trustee's final report and account, the court determines that oral argument on the final report and account is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final report and account, rules on the final report and account on the papers, and approves the final report and account for the reasons stated in the final report and account and for lack of timely written opposition. No appearances are required on 9/1/20. Trustee to lodge a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Anna J Bowes

Represented By
Roxanne Bonar

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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2:30 PM

2:18-13759 Charles Peters

Chapter 11

#18.00 Hearing re: Motion to compel filing of "proof of claim" by claimant City of Beaumont
[U.S.C. Section 105(a); FRCP 60(b); FRBP 3002(a)]

Docket 348

***** VACATED *** REASON: Notice of voluntary dismissal filed on
8/18/20-mb.**

Tentative Ruling:

Off calendar. Motion voluntarily dismissed by notice filed on 8/18/20. No
appearances are necessary.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco

**United States Bankruptcy Court
Central District of California
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Tuesday, September 1, 2020

Hearing Room 1675

2:30 PM

2:18-13759 Charles Peters

Chapter 11

#19.00 Hearing re: Motion to subordinate claim of City of Beaumont [11 U.S.C. Section 510(c)]

Docket 349

***** VACATED *** REASON: Notice of voluntary dismissal filed on
8/18/20-mb.**

Tentative Ruling:

Off calendar. Motion voluntarily dismissed by notice filed on 8/18/20. No appearances are necessary.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco

**United States Bankruptcy Court
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Tuesday, September 1, 2020

Hearing Room 1675

2:30 PM

2:19-16068 Julieta Hernandez and Fernando Hernandez

Chapter 7

#20.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Timothy J. Yoo, Chapter 7 Trustee]

Docket 58

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the trustee's final report and fee application, the court determines that oral argument on the final report and fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final report and fee application, rules on the final report and fee application on the papers, and approves the final report and fee application for the reasons stated in the final report and fee application and for lack of timely written opposition. No appearances are required on 9/1/20. Trustee to lodge a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Julieta Hernandez

Represented By
Joshua L Sternberg

Joint Debtor(s):

Fernando Hernandez

Represented By
Joshua L Sternberg

Trustee(s):

Timothy Yoo (TR)

Represented By
Carmela Pagay
Jeffrey L Sumpter

**United States Bankruptcy Court
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Los Angeles
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CONT... Julieta Hernandez and Fernando Hernandez

Chapter 7

**United States Bankruptcy Court
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Tuesday, September 1, 2020

Hearing Room 1675

2:30 PM

2:19-16068 Julieta Hernandez and Fernando Hernandez

Chapter 7

#21.00 Hearing re: Application for fees and expenses
[Levene, Neale, Bender, Yoo & Brill, LLP, Attorney for Chapter 7 Trustee]

Docket 54

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the final fee application of attorney for trustee, the court determines that oral argument on the final fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final fee application, rules on the final fee application on the papers, and approves the final fee application for the reasons stated in the final fee application and for lack of timely written opposition. No appearances are required on 9/1/20. Trustee or applicant to lodge a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Julieta Hernandez

Represented By
Joshua L Sternberg

Joint Debtor(s):

Fernando Hernandez

Represented By
Joshua L Sternberg

Trustee(s):

Timothy Yoo (TR)

Represented By
Carmela Pagay
Jeffrey L Sumpter

**United States Bankruptcy Court
Central District of California
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Judge Robert Kwan, Presiding
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Tuesday, September 1, 2020

Hearing Room 1675

2:30 PM

2:20-12247 Julie Songun Jang and Won Jae Jang

Chapter 7

#22.00 Hearing re: United States Trustee's 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 debtors' discharge

Docket 30

Tentative Ruling:

Revised and updated tentative ruling as of 8/31/20. Treat the motion of United States Trustee to dismiss this case on grounds of abuse pursuant to 11 U.S.C. 707(b)(1), (2) and/or (3)(B) as a contested matter under FRBP 9014 since assessment of the circumstances indicating abuse by debtors is dependent on credibility determinations of the testimony in the declarations of debtors' witnesses and supporting evidence offered by debtors and the supporting declaration and evidence of the United States Trustee, or alternatively, deny the motion to dismiss without prejudice, and allow United States Trustee an extension of 125 days to 1/5/21 to file a complaint to deny discharge under 11 U.S.C. 727 for cause shown under FRBP 4004(b) in that the United States trustee has diligently pursued his investigation of possible actions against debtor before the deadline of 9/1/20 and timely filed the motion to extend and elected to seek dismissal first rather than filing an adversary proceeding to deny discharge, which would have been moot if the dismissal had been granted, and that a short extension of time of 125 days for the United States Trustee to 1/5/21 to complete his investigation and prepare an adversary complaint to deny discharge would not prejudice debtor or unduly delay the administration of this case. *In re Jahangiri*, No. 18-31609-dwh7, 2018 WL 5255216 (Bankr. D. Or. 2018) (collecting cases). Parties should advise whether there are material issues of disputed fact to adjudicate this motion, which require an evidentiary hearing, and if so, whether the parties waive evidentiary hearing or whether the court should set one.

It appears to the court that there are disputed issues of material facts as follows: Regarding the specific adjustments in income and expenses disputed by the parties to determine whether the presumption of abuse exists under 11 U.S.C. 707(b)(2), the court agrees with the United States Trustee that the bonus income received by debtor wife during the 6 month lookback period

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CONT...

Julie Songun Jang and Won Jae Jang

Chapter 7

must be included in the means test computation. Moreover, despite the declaration of Mark Lee, bonuses are not a one time deal as Mrs. Jang received a total of \$2,204.01 in 2019 as reflected on her year end paystub of 12/31/19, and not just the \$1,312.23 on her 8/31/19 paystub, which reflected year to date bonuses of \$1,516.83 as of 8/31/19. Since Mrs. Jang received a total of \$2,204.01 for 2019, and \$1,516.83 as of 8/31/19, there is a difference of \$687.18 in additional bonuses not accounted for and apparently paid between 8/31/19 and 12/31/19 during the 6 month lookback period. The other adjustments appear to raise substantiation issues as debtors do not provide substantiation for the health insurance deductions over \$160 a month as shown on Mrs. Jang's paystubs (perhaps a slight adjustment needs to be made since the computation is made by the month and Mrs. Jang is paid every two weeks) and the involuntary deductions of \$35. The childcare expenses are not substantiated because the invoices are not within the 6 month lookback period. The telephone expenses are not substantiated for the dependent parents since the bills are not within the 6 month lookback period, and debtors need to explain why the bills for the parents have a different address than theirs if the parents are living with them as dependents. See Julie Jang Declaration, paragraph 4 ("My husband and I support my parents who are living with us and whom we claim as dependents, as our tax return reflects."). There are also substantiation issues raised regarding the items identified by the United States Trustee in his totality of the circumstances analysis under 11 U.S.C. 707(b)(3)(B). Since debtors last amended their means test computation on 8/20/20 after the United States Trustee filed his motion on 8/4/20, he should have the opportunity to offer evidence and analysis specific to debtors' latest adjustments.

Appearances are required on 9/1/20, but counsel and self-represented parties must appear by telephone.

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2:30 PM

CONT... Julie Songun Jang and Won Jae Jang

Chapter 7

court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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Party Information

Debtor(s):

Julie Songun Jang

Represented By
Jaenam J Coe

Joint Debtor(s):

Won Jae Jang

Represented By
Jaenam J Coe

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Wednesday, September 2, 2020

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. 1/29/20, 3/25/20, 4/29/20

Docket 59

***** VACATED *** REASON: Final decree entered, case closed on 8/3/20-
mb.**

Tentative Ruling:

Off calendar. Status conference is moot because final decree entered on
8/3/20. No appearances are necessary.

Party Information

Debtor(s):

Chestnut, LLC

Represented By
Raymond H Aver

Movant(s):

Chestnut, LLC

Represented By
Raymond H Aver

**United States Bankruptcy Court
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Los Angeles
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Wednesday, September 2, 2020

Hearing Room 1675

11:00 AM

2:18-10524 Fox Property Holdings, LLC

Chapter 11

#2.00 Hearing re: Motion for entry of order authorizing debtor to use cash collateral through and including February 28, 2021

Docket 234

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the motion of debtor for entry of an order authorizing it to use cash collateral through 2/28/21, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the motion, rules on the motion on the papers, and approves the motion for the reasons stated in the motion and for lack of timely written opposition. No appearances are required on 9/2/20. Debtor to lodge 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
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Wednesday, September 2, 2020

Hearing Room 1675

11:00 AM

2:19-10596 Robert David Katz and Roslyn Soudry Katz

Chapter 11

#3.00 Cont'd status conference re: Post confirmation of plan
fr. 5/6/20, 5/20/20

Docket 262

***** VACATED *** REASON: Final decree entered, case closed on 8/10/20-
mb.**

Tentative Ruling:

Off calendar. Status conference is moot because final decree entered on
8/10/20. No appearances are necessary.

Party Information

Debtor(s):

Robert David Katz

Represented By
Mark M Sharf
Ori S Blumenfeld

Joint Debtor(s):

Roslyn Soudry Katz

Represented By
Mark M Sharf
Ori S Blumenfeld

Movant(s):

Robert David Katz

Represented By
Mark M Sharf
Ori S Blumenfeld

Roslyn Soudry Katz

Represented By
Mark M Sharf
Mark M Sharf
Mark M Sharf
Ori S Blumenfeld
Ori S Blumenfeld
Ori S Blumenfeld

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Wednesday, September 2, 2020

Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#3.10 Cont'd hearing re: Motion to invalidate portion of lien of County of Riverside to secure
claim of City of Beaumont FRBP 7001(2); FRBP 3012(c)
fr. 8/18/20

Docket 341

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 9/2/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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Wednesday, September 2, 2020

Hearing Room 1675

11:00 AM

CONT... Charles Peters

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco

**United States Bankruptcy Court
Central District of California
Los Angeles
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Wednesday, September 2, 2020

Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#3.20 Cont'd hearing re: Debtor's motion to vacate order for relief from stay
fr. 8/5/20, 8/18/20

Docket 342

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 9/02/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
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Los Angeles
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Wednesday, September 2, 2020

Hearing Room 1675

11:00 AM

CONT... Charles Peters

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 8/3/20. No tentative ruling on the merits. Appearances are required on 8/5/20, but counsel and self-represented parties must appear by telephone.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco

**United States Bankruptcy Court
Central District of California
Los Angeles
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Wednesday, September 2, 2020

Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#3.30 Cont'd status conference re: Management of chapter 11 case
fr. 6/24/20, 8/18/20, 8/18/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/28/20. Off calendar. Continued to 10/21/20 at 11:00 a.m. as set forth in the scheduling order entered on 8/21/20. No appearances are required on 9/2/20.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Giovanni Orantes
Luis A Solorzano

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, September 2, 2020

Hearing Room 1675

2:00 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.

- #4.00** Technical pretrial conference by ZOOM re: Application of Sam S. Leslie, plan agent, for issuance of order approving the issuance of writ of execution and appointment of plaintiff as substitute custodian for U.S. Marshal in furtherance of execution of writ and notice of levy; and for order approving sale of artworks free and clear of any claim of lien or interest
fr. 5/6/20, 5/14/20, 8/19/20

Docket 713

Tentative Ruling:

Updated tentative ruling as of 8/28/20. Appearances are required for the pretrial conference on 9/2/20. No tentative ruling on the merits. Participants must connect to the Zoom for Government courtroom no later than 1:50 p.m. and check in with the law clerk/DECRO.

a. Video. Utilize the following link:

<https://cacb.zoomgov.com/j/1611438604> and insert

Meeting ID: 161 143 8604 and **Password:** 824762.

b. Audio only. Audio-only participants must call into Zoom for Government by calling:

+1 669 254 5252

or +1 646 828 7666,

with the **Meeting ID:** 161 143 8604 and **Password:** 824762.

Prior tentative ruling as of 5/8/20. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, September 2, 2020

Hearing Room 1675

2:00 PM

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

Appearances are required on 5/14/20 to discuss scheduling discovery proceedings and an evidentiary hearing on the Banksy artwork ownership dispute, counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Art and Architecture Books of the

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

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

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2:00 PM

CONT...

Art and Architecture Books of the 21st Century

Chapter 11

Michael W Vivoli
Ronald Rus
Fahim Farivar
Brian L Davidoff
Keith Patrick Banner

Jennifer Kellen

Represented By
J. Bennett Friedman

Michael D. Smith

Represented By
Brian L Davidoff

Kamran Gharibian

Represented By
Brian L Davidoff

Daryoush Dayan

Represented By
Brian L Davidoff

Cathay Bank, a California

Represented By
Ekwan E Rhow
Elliot C Harvey Schatmeier

Jennifer Kellen

Represented By
Michael D Sobkowiak

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

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

Wednesday, September 2, 2020

Hearing Room 1675

2:00 PM

CONT...

Art and Architecture Books of the 21st Century

Chapter 11

David J Richardson

Jason Balitzer

Steven Thomas

Stephen Sorensen

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

Thursday, September 3, 2020

Hearing Room 1675

9:00 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#1.00 REMOTE TRIAL RE: Objection to claim number 4 by claimant US Bank National Association as Trustee for Velocity Commercial Capital Loan Trust 2014-1 fr. 3/4/20, 4/15/20, 6/3/20

Docket 115

***** VACATED *** REASON: Trial re-set for 10/15/20 at 9:00 a.m. per order entered on 8/14/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 8/21/20. Off calendar. Trial was continued and reset for 10/15/20 at 9:00 a.m. per order entered on 8/14/20. No appearances are required on 9/3/20.

Prfior tentative ruling. Treat the motion objecting to claim as a contested matter under FRBP 9014 and set a schedule of pretrial proceedings, including discovery, since there are disputed issues of material fact. Parties should confer regarding an appropriate schedule if they can. Appearances are required on 5/8/19, but counsel may appear by telephone.

Creditor may be entitled to its claim for attorneys' fees under 11 U.S.C. 506(b) pursuant to contract based on its loan agreement secured by deed of trust, which were upheld as valid in the state court litigation. The four elements for a claim under 11 U.S.C. 506(b) are: (1) its claim is an allowed secured claim; (2) it is an oversecured creditor; (3) the fees it asserts are reasonable; and (4) the fees it asserts are provided for under an agreement under which such claim arose, or the fees are provided for under a state statute under which the creditor's claim arose. In re Astle, 364 B.R. 735, 741 (Bankr. D. Idaho 2007). The claim is an allowed secured claim based on the state court judgment, though the judgment is on appeal. The creditor is an oversecured creditor, which is not in dispute. The reasonableness of the fees it asserts is in material dispute. Creditor has only submitted redacted versions of its counsel's fee statements, which do not provide sufficient information for the court to review for reasonableness. Creditor must file unredacted versions, or submit unredacted versions in camera with a privilege log if creditor claims

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

Thursday, September 3, 2020

Hearing Room 1675

9:00 AM

CONT...

Raesi Group, Inc

Chapter 11

that the reacted matter is privileged. Debtor as the objecting party must carry its burden of explaining what in the fee statements are unreasonable or at least what would be reasonable under the circumstances. In re Koncicky, 2007 WL 7540997 (9th Cir. BAP 2007)(unpublished memorandum opinion) (citation omitted). Debtor has the responsibility to challenge the information and provide evidence controverting that produced by creditor. Id. Debtor has not met this burden. The fees that creditor asserts are provided by the loan agreement between it and its borrower providing for reasonable attorneys' fees if it incurs or pays to maintain, protect or enforce its rights under the loan agreement as secured by the deed of trust. Exhibits A and C to Favela Declaration. Case law in California allows such fees to be added to the balance under the promissory note secured by trust deed. Chacker v. JPMorgan Chase Bank, N.A., 27 Cal.App.5th 351, 356-358 (2018). However, there is no separate award of attorneys' fees authorized by statute, such as California Civil Code 1717 because debtor is not a signatory to the contract in the loan agreement and creditor has not otherwise shown that it would have been liable for the fees of the opposing party if the opposing party had prevailed. Asphalt Professionals, Inc. v. Davis (In re Davis), 595 B.R. 818, 837 (Bankr. C.D. Cal. 2019), citing, Dell Merk, Inc. v. Franzia, 132 Cal.App.4th 443, 441 (2005). Thus, creditor will need to submit fully unredacted copies of its fee statements to the court, and debtor will need to explain what in the fee statements are unreasonable and/or produce evidence showing that the fees are unreasonable.

Party Information

Debtor(s):

Raesi Group, Inc

Represented By
Christopher P Walker

Movant(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, September 8, 2020

Hearing Room 1675

10:30 AM

2:20-10131 Alex S Min

Chapter 7

#1.00 Cont'd hearing re: Motion for relief from stay
(JPMorgan Chase Bank, N.A. VS Debtor)
fr. 4/28/20, 6/2/20

Docket 13

Tentative Ruling:

Revised and updated tentative ruling as of 9/4/20. Off calendar. Continued by stipulation and order to 11/17/20 at 10:30 a.m. No appearances are required on 9/8/20.

Party Information

Debtor(s):

Alex S Min

Represented By
Young K Chang

Trustee(s):

John P Pringle (TR)

Pro Se

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

Tuesday, September 8, 2020

Hearing Room 1675

10:30 AM

2:20-14902 Boris M. Tadjikov

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Lasen, Inc. VS Debtor)

REAL PROPERTY RE: 3800 E. Lohman, Ave, **Suite E**, Las Cruces NM 88001 .

Docket 10

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 9/8/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Boris M. Tadjikov

Represented By
Leslie A Cohen

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 8, 2020

Hearing Room 1675

10:30 AM

2:20-14902 Boris M. Tadjikov

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(Lasen, Inc. VS Debtor)

REAL PROPERTY RE: 3800 E. Lohman, Ave, **Suite F**, Las Cruces NM 88001 .

Docket 11

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 9/8/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Boris M. Tadjikov

Represented By
Leslie A Cohen

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 8, 2020

Hearing Room 1675

10:30 AM

2:20-16216 Gloria V Salcido

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(Consumer Portfolio Services, Inc. VS Debtor)

Docket 7

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 9/8/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Gloria V Salcido

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 8, 2020

Hearing Room 1675

10:30 AM

2:20-14830 Crystal Yolanda Gomez

Chapter 7

#4.10 Hearing re: Motion for relief from stay
(Americredit Financial Services, Inc. dba GM Financial VS Debtor)

Docket 12

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 9/8/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Crystal Yolanda Gomez	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, September 8, 2020

Hearing Room 1675

11:00 AM

2:17-24993 Mary Katherine Cummins-Cobb

Chapter 7

Adv#: 2:18-01066 Khionidi v. Cummins-Cobb

#4.20 EVIDENTIARY HEARING BY ZOOM RE: Defendant's motion for contempt of court order fr. 8/4/20

Docket 169

Tentative Ruling:

Updated tentative ruling as of 9/3/20. Appearances are required for the evidentiary hearing on 9/8/20. No tentative ruling on the merits. Participants must connect to the Zoom for Government courtroom no later than 10:50 a.m. and check in with the law clerk/DECRO.

a. Video. Utilize the following link:

<https://cacb.zoomgov.com/j/1617800282> and insert

Meeting ID: 161 780 0282 and **Password:** 663465.

b. Audio only. Audio-only participants must call into Zoom for Government by calling:

+1 669 254 5252

or +1 646 828 7666,

with the **Meeting ID:** 161 780 0282 and **Password:** 663465.

Party Information

Debtor(s):

Mary Katherine Cummins-Cobb

Pro Se

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

Tuesday, September 8, 2020

Hearing Room 1675

11:00 AM

CONT... Mary Katherine Cummins-Cobb

Chapter 7

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, September 8, 2020

Hearing Room 1675

1:30 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01158 Carter et al v. Martinez

#5.00 Cont'd status 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. 2/11/20, 4/29/20, 6/9/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/3/20. No tentative ruling on the merits. Appearances are required on 9/8/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to

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

Tuesday, September 8, 2020

Hearing Room 1675

1:30 PM

CONT... Anthony Roy Martinez

Chapter 7

call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 6/8/20. Off calendar. Having considered the joint status report filed on 6/5/20 representing that the state court criminal proceedings are still pending with a further hearing on 8/12/20, the court continues the status conference on its own motion to 9/8/20 at 1:30 p.m. No appearances are required on 6/9/20, and counsel for plaintiff is ordered to give notice to counsel for defendant.

Prior tentative ruling as of 4/27/20. Off calendar. Having considered the joint status report filed on 4/23/20 representing that the state court criminal proceedings are still pending with a further hearing on 5/27/20, the court continues the status conference on its own motion to 6/9/20 at 1:30 p.m. No appearances are required on 4/29/20, and counsel for plaintiff is ordered to give notice to counsel for defendant.

Prior tentative ruling as of 2/11/20. The court has reviewed the parties' joint status update. No tentative ruling on the merits. Appearances are required on 2/11/20, but counsel may appear by telephone.

Prior tentative ruling as of 10/21/19. No tentative ruling on the merits. Appearances are required on 10/22/19, but counsel may appear by telephone.

Prior tentative ruling as of 8/27/19. The court has reviewed the explanation of counsel for plaintiffs dated 4/17/17, but filed on 8/26/19, requesting a continuance of the pretrial conference for about 45 days pending the outcome of the preliminary hearing in the state court criminal case against defendant. Appearances are required on 8/27/19 to discuss scheduling of further proceedings in light of the pending criminal case against defendant, but

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, September 8, 2020

Hearing Room 1675

1:30 PM

CONT... Anthony Roy Martinez

Chapter 7

counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. No tentative ruling on the merits. Appearances are required on 6/25/19, but counsel may appear by telephone.

Prior tentative ruling as of 2/4/18. No tentative ruling on the merits. Appearances are required on 2/5/19, but counsel may appear by telephone.

Prior 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.

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
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Tuesday, September 8, 2020

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 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

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

Tuesday, September 8, 2020

Hearing Room 1675

1:30 PM

CONT... Anthony Roy Martinez
Lance Carter IRA 419990

Pro Se

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 8, 2020

Hearing Room 1675

1:30 PM

2:19-13181 Serapio Venegas

Chapter 7

Adv#: 2:20-01106 Brad D. Krasnoff, Chapter 7 Trustee v. Venegas

#6.00 Cont'd status conference re: Trustee complaint for denial of debtor's discharge pursuant to U.S.C. Section 727 fr. 6/23/20

Docket 1

***** VACATED *** REASON: Default judgment entered on 8/21/20-mb.**

Tentative Ruling:

Off calendar. The status conference is moot because default judgment has been entered against defendant on 8/21/20. No appearances are required on 9/8/20.

Party Information

Debtor(s):

Serapio Venegas	Pro Se
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Defendant(s):

Serapio Venegas	Pro Se
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Plaintiff(s):

Brad D. Krasnoff, Chapter 7 Trustee	Represented By Sonia Singh
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Trustee(s):

Brad D Krasnoff (TR)	Represented By Eric P Israel Sonia Singh
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 8, 2020

Hearing Room 1675

2:00 PM

2:19-20416 Susie L Wong

Chapter 7

#7.00 Order to show cause why sanctions should not be imposed against lienholder Sequoia Concepts, Inc., and its attorney Andrew Altholz for failure to appear at hearing on August 4, 2020

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/4/20. Having reviewed counsel's declaration in response to the order to show cause, the court intends to discharge the order to show cause. Appearances are required on 9/8/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los

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

Tuesday, September 8, 2020

Hearing Room 1675

2:00 PM

CONT... Susie L Wong

Chapter 7

Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Susie L Wong

Represented By
Chi L Ip

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 8, 2020

Hearing Room 1675

2:00 PM

2:19-20416 Susie L Wong

Chapter 7

#8.00 Cont'd hearing re: Amended motion to avoid lien under 11 U.S.C. §522(f) (real property) with Sequoia Concepts, Inc. dba Sequoia Financial Services fr. 5/26/20, 8/4/20

Docket 54

Tentative Ruling:

Updated tentative ruling as of 9/3/20. No tentative ruling on the merits. The court will discuss the appointment of a replacement appraiser to evaluate the subject property for the adjudication of the motion. While the trustee has filed a notice of abandonment of the property, any abandonment does not apparently affect the pending lien avoidance motion, though the parties may be heard on this at the hearing. Appearances are required on 9/8/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance

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

Tuesday, September 8, 2020

Hearing Room 1675

2:00 PM

CONT...

Susie L Wong

Chapter 7

reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 7/31/20. The court will discuss with counsel the status of the appraiser jointly selected by the parties and appointed by the court. The court intends to set a further status conference in order for the parties with sufficient time for the parties to review and consider the appraisal report and then to discuss scheduling an evidentiary hearing if the parties are unable to consensually resolve the matter. No tentative ruling on the merits. Appearances are required on 8/4/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You

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

Tuesday, September 8, 2020

Hearing Room 1675

2:00 PM

CONT...

Susie L Wong

Chapter 7

need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling. Treat the amended motion to avoid lien of Creditor Sequoia Concepts, Inc., as a contested matter under FRBP 9014 because there are disputed issues of material fact regarding valuation of the subject property and the liens attached thereto. The parties have filed evidence of conflicting valuation of the subject property at \$740,000 based on the declaration of a real estate broker for Debtor and \$945,000 based on a declaration of real estate broker for Creditor. The value of the property at \$770,000 based on the trustee's "acceptance" of an offer to sell the property based on the trustee's declaration filed on 1/8/20 is not conclusive because there has been no sale of the property to deem that value as the fair market value of the property for purpose of Debtor's lien avoidance motion as no motion for sale has been filed by the trustee. There are also factual issues regarding the value of the unavaoided liens on the property. The first lien of Encore is valued at \$366,799.14 based on a notice of trustee's sale dated 8/6/19 attached as Exhibit 4 to the amended motion, which value does not appear to be in dispute. The second lien of Oxford Property, LLC is valued at \$110,000 based on the stipulation between the trustee and Oxford fixing the value of the lien, though Debtor asserts the value in the motion to be \$200,090, which was disputed by the trustee, leading to the settlement between trustee and Oxford. The court is of the view that the value of Oxford's lien is the \$110,000 which was the agreed value between it and the trustee, though Debtor might disagree, which may raise a disputed issue of material fact. The value of the California Franchise Tax Board liens is

**United States Bankruptcy Court
Central District of California
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Hearing Room 1675

2:00 PM

CONT...

Susie L Wong

Chapter 7

\$29,069.15, which is the value of its secured claim on its proof of claim filed in this case. However, Debtor asserts that the Franchise Tax Board liens should be valued at \$12,144.89, \$14,440.62 and \$19,208.07, totaling \$45,793.58, which may present a disputed issue of material fact. The value of the Internal Revenue Service liens is \$180,817.59, which is the value of its secured claim on its proof of claim filed in this case. However, Debtor asserts that the IRS liens should be valued at \$63,204.00, \$116,383.14 and \$22,351.77, totaling \$201,938.91, which may present a disputed issue of material fact. In the court's view, the values of the taxing authorities' liens stated on the proofs of claim should be the values for purposes of the motion because the proofs of claim are what the claimants assert are their claims on the petition date and are prima facie evidence of the validity and amount of the claims pursuant to Federal Rule of Bankruptcy Procedure 3001(f). There is no evidence that rebuts the prima facie correctness of the filed proofs of claim of the FTB and IRS. The court's computation of the unavowed liens of Encore (\$366,799.14), Oxford (\$110,000), FTB (\$29,069.15) and IRS (\$180,817.59), which total \$686,685.88. Adding Debtor's claim of \$175,000 as her homestead exemption yields a total of \$861,168.88, which would indicate no available equity for Sequoia's lien to attach if the value of the property is \$740,000, but available equity of \$83,831.12 if the value of the property is \$945,000 which is sufficient for Sequoia's lien valued at \$21,840.46 to attach. The amount of available equity for Sequoia's lien would be increased if the court accords credence to Debtor's assertions in her declaration that she is an "innocent spouse" not responsible for her late husband's tax liabilities, so that presumably, she is not liable for his tax liabilities, and thus, the property is not subject to his tax liens, which would apparently mean that the tax lien amounts should not be considered in determining available equity for Sequoia's lien to attach. Debtor's assertions that she is not liable for the taxes may also raise a disputed issue of material fact in valuing the unavowed liens against the property (if the court disregards the tax liens, then under either valuation, there is sufficient equity for Sequoia's lien to attach). The conflicting valuation evidence raises disputed issues of material fact that generally requires an evidentiary hearing because the court has to make credibility determinations as to the valuation opinions. The parties could call their valuation witnesses as witnesses at a hearing, and they may want to

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take discovery as the broker for Creditor has not inspected the property, and the court can make a determination after hearing their testimony, or the parties could waive their right to an evidentiary hearing, and the court can decide valuation, and the motion, on the papers, or the parties could stipulate to what this court would call the Judge Zurzolo method of valuation that the court appoints an independent appraiser to value the property, and the parties split the cost of the fees for the court appointed expert pursuant to Federal Rule of Evidence 706. The court cannot decide the motion on the papers without an evidentiary hearing unless both parties consent to waive their right to an evidentiary hearing.

Appearances are required on 5/26/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Susie L Wong

Represented By
Chi L Ip

Movant(s):

Susie L Wong

Represented By
Chi L Ip

Susie L Wong

Represented By
Chi L Ip

Susie L Wong

Represented By
Chi L Ip

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Trustee(s):

David M Goodrich (TR)

Pro Se

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2:18-13759 Charles Peters

Chapter 11

#9.00 Hearing re: Motion to reform "mediation settlement agreement" with estate of James Regan

Docket 374

***** VACATED *** REASON: Notice of voluntary dismissal filed on 8/19/20-mb.**

Tentative Ruling:

Off calendar. Motion voluntarily dismissed by notice filed on 8/18/20. No appearances are necessary.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco

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2:18-20432 Don Gonzalez

Chapter 7

Adv#: 2:18-01432 Swift Financial, LLC v. Gonzalez

#10.00 Hearing re: Motion to dismiss claims arising under 11 U.S.C. §727 and remaining 523 claims

Docket 38

Tentative Ruling:

Updated tentative ruling as of 9/3/20. Grant plaintiff's motion to dismiss the remaining claims in this adversary proceeding for the reasons stated in the moving papers and for lack of timely written opposition, except deny the motion as to the claim under 11 U.S.C. 523(a)(2)(B) and (a)(6) since the court in granting the motion for default judgment determined that the evidence supported relief on those two claims and entered judgment on those claims, and thus, those two claims are not "remaining" claims to be dismissed. As to the claim under 11 U.S.C. 727, the court notes that the original complaint contained such a claim, but the amended complaint dropped that claim. While the docket shows that plaintiff served defendant with the amended complaint, defendant in his answer responded to the allegations of the original complaint, including on the 11 U.S.C. 727 claim, rather than the amended complaint without that claim. To avoid any doubt regarding the state of the pleadings, the court would grant the motion as to all "remaining" claims referred to in the motion, except as to the 11 U.S.C. 523(a)(2)(B) and (a)(6) claims on which judgment in plaintiff's favor has been entered. Appearances are required on 9/8/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by

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Don Gonzalez

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telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Don Gonzalez

Pro Se

Defendant(s):

Don Gonzalez

Pro Se

Plaintiff(s):

Swift Financial, LLC

Represented By
Daren M Schlecter

Trustee(s):

Wesley H Avery (TR)

Pro Se

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2:18-23326 Alfred Lee Stringer

Chapter 7

Adv#: 2:19-01053 Lee et al v. Stringer

#11.00 Hearing re: Motion to withdraw as counsel of record for defendant Alfred Stringer

Docket 9

Tentative Ruling:

Grant counsel's motion to withdraw for the reasons stated in the moving papers and for lack of timely written opposition. The court wants to inquire of withdrawing counsel for defendant whether he has been in contact with defendant and whether defendant intends to appear or retain new counsel in defense of this adversary proceeding. Appearances are required on 9/8/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the

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scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Alfred Lee Stringer

Represented By
Marc A Goldbach

Defendant(s):

Alfred Lee Stringer

Represented By
Marc A Goldbach

Plaintiff(s):

Sharlet Marie Lee

Represented By
Albert L Chaney III

Mylaunna Lee

Represented By
Albert L Chaney III

Trustee(s):

Elissa Miller (TR)

Pro Se

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2:18-23326 Alfred Lee Stringer

Chapter 7

Adv#: 2:19-01053 Lee et al v. Stringer

- #11.10** Cont'd pretrial conference re: Adversary complaint for determination of dischargeability and objection to debtor's discharge pursuant to 11 U.S.C. §§ 523(a)(2)(A) and 523(a)(6), for attorney's fees and costs
fr. 8/27/19, 12/03/19, 9/1/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/3/20. No tentative ruling on the merits. The parties, including defendant, with or without new counsel, should appear to discuss a schedule for filing a joint pretrial stipulation and for resetting the date of the pretrial conference. Appearances are required on 9/8/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance

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reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 8/28/20. Off calendar. The court on its own motion continues the pretrial conference to 9/8/20 at 2:30 p.m. to be conducted with the hearing on motion of counsel for defendant to withdraw in this adversary proceeding, which motion may have an impact on how the pretrial conference will proceed. No appearances are required on 9/1/20.

Prior tentative ruling as of 12/2/19. No tentative ruling on the merits. Appearances are required on 12/3/19, 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 8/26/19. No tentative ruling on the merits. Appearances are required on 8/27/19, 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. Appearances are required on 4/30/19 to address why monetary sanctions of \$100 should not be imposed each on counsel for plaintiffs and defendant who is self-represented for failure to file a joint status report as required by Local Bankruptcy Rule 7016-1 and the court's order setting initial status conference filed and entered on 2/21/19.

Party Information

Debtor(s):

Alfred Lee Stringer

Pro Se

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Defendant(s):

Alfred Lee Stringer

Pro Se

Plaintiff(s):

Mylaunna Lee

Represented By
Albert L Chaney III

Sharlet Marie Lee

Represented By
Albert L Chaney III

Trustee(s):

Elissa Miller (TR)

Pro Se

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2:19-23349 Lianna Simonyan

Chapter 7

Adv#: 2:20-01032 Strategic Funding Source, Inc., a New York corpora v. Simonyan

#12.00 Cont'd hearing re: Plaintiff's motion for default judgment under LBR 7055-1
fr. 8/4/20

Docket 14

Tentative Ruling:

Updated tentative ruling as of 9/3/20. Grant plaintiff's motion for default judgment for the reasons stated in the moving papers as supplemented and for lack of timely written opposition. The relief to be granted should be a judgment in the amount of \$242,500.00 as prayed for in the complaint, plus costs of suit and prejudgment interest at 7% per annum from the date of the filing of the state court complaint, which debts are determined to be excepted from discharge pursuant to 11 U.S.C. 523(a)(2)(A) and (6). Where interest is awarded on tort and other noncontractual claims, as here, the rate is 7% per annum from the date the claim arose. Wagner, Fairbank and Epstein, Rutter Group California Practice Guide: Civil Trials and Evidence, ¶ 17:1130 (online edition, September 2019 update) (citing inter alia, California Constitution, Article 15, § 1 and Michelson v. Hamada, 29 Cal.App.4th 1566, 1585 (1994) (fraud claim)). Thus, the court does not award prejudgment interest at 10% rate as requested by plaintiff in the supplemental points and authorities. The date for commencement of prejudgment interest is at least the date of filing of the state court complaint on 2/15/18 based on the allegations of the complaint alleging when the fraud claims arose. No other relief is awarded. Appearances are required on 9/8/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in

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person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling. In this adversary proceeding, plaintiff has moved for default judgment under Local Bankruptcy Rule 7055-1, which motion is also governed by Federal Rule of Bankruptcy Procedure 7055, making Federal Rule of Civil Procedure 55(b)(2) applicable to this adversary proceeding. Civil Rule 55(b)(2) requires a plaintiff to apply to the court for a default judgment. In such cases, the entry of default against a defendant does not automatically entitle a plaintiff to judgment. *Lu v. Liu* (In re Liu), 282 B.R. 904, 907 (Bankr. C.D. Cal. 2002), citing *Valley Oak Credit Union v. Villegas* (In re Villegas), 132 B.R. 742, 746 (9th Cir. BAP 1991); see also, *Zhong v. Yong Li* (In re Yong Li), 2012 WL 5419068 (9th Cir. BAP 2012). The court has broad discretion under Rule 55(b)(2) to "conduct such hearings ... when, to enter or effectuate judgment, it needs to ...determine the amount of damages; establish the truth of any allegation by evidence; or investigate any other matter." Federal Rule of Civil Procedure 55(b)(2); see also, *In re Liu*, 282 B.R. at 907. Under this

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rule, the court may require a plaintiff to demonstrate a prima facie case by competent evidence in a prove-up trial to obtain a default judgment. In re Liu, 282 B.R. at 907., citing In re Villegas, 132 B.R. at 746; TeleVideo Systems Inc. v. Heidenthal, 826 F.2d 915, 917 (9th Cir.1987); General Electric Capital Corp. v. Bui (In re Bui), 188 B.R. 274, 276 (Bankr. N.D.Cal.1995). In such a hearing, the plaintiff must demonstrate each of the elements of a cause of action to support a prima facie case. Id., citing In re Bui, 188 B.R. at 276. The court has wide discretion under Civil Rule 55 to consider whether the evidence presented supports a claim and warrants judgment for the plaintiff. Id., citing Wells Fargo Bank v. Beltran (In re Beltran), 182 B.R. 820, 823–824 (9th Cir. BAP 1995); Villegas, 132 B.R. at 746 and 10A Charles Alan Wright, Arthur R. Miller & Mary Kay Kane, Federal Practice and Procedure: Civil § 2685 (3d ed.1998).

Bankruptcy courts frequently exercise their discretion to require that a plaintiff prove up a prima facie case when a plaintiff creditor seeks default judgment against a defendant debtor who has failed to answer a § 523 non-dischargeability claim. In re Liu, 282 B.R. at 907-908, citing AT & T Universal Card Services Corp. v. Sziel (In re Sziel), 206 B.R. 490, 493 (Bankr.N.D.Ill.1997); In re Beltran, 182 B.R. at 823; In re Villegas, 132 B.R. at 746. This practice is motivated by the risk that a creditor may obtain a default judgment, regardless of the merits of the complaint, against an honest debtor who is in such a precarious financial condition that the debtor cannot afford to defend a non-dischargeability claim. Id. at 908, citing In re Sziel, 206 B.R. at 492.

In this adversary proceeding, plaintiff seeks a determination that the alleged debts owed by defendant to it are nondischargeable pursuant to 11 U.S.C. § 523. This statute, 11 U.S.C. § 523, contains provisions for excepting debts owed by a debtor to a creditor from discharge for various reasons. Plaintiff asserts specifically that the debts owed to it by defendant should be excepted from discharge pursuant to 11 U.S.C. § 523(a)(2), (a)(4) and (a)(6). "[T]here are two distinct issues to consider in the dischargeability analysis: first, the establishment of the debt itself, . . . and, second, a determination as to the nature of that debt, an issue within the exclusive jurisdiction of the bankruptcy court and thus governed by Bankruptcy Rule 4007." *Banks v. Gill Distribution Centers, Inc. (In re Banks)*, 263 F.3d 862, 868 (9th Cir. 2001)

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(citing *Resolution Trust Corp. v. McKendry (In re McKendry)*, 40 F.3d 331, 337 (10th Cir. 1994)). See also March, Ahart and Shapiro, Rutter Group California Practice Guide: Bankruptcy, ¶ 22-1641 (online edition December 2019) ("[c]reditors seeking a nondischargeability determination must first establish an enforceable claim under state law (whether or not the claim has been filed in the bankruptcy proceeding)."). This is so because the statutory language of 11 U.S.C. § 523 does not provide for the creation of debts, but rather for determination of such existing debts as nondischargeable under certain conditions. *Del Bino v. Bailey (In re Bailey)*, 197 F.3d 997, 1001 (9th Cir. 1999) (bankruptcy law governs whether a claim is nondischargeable pursuant to 11 U.S.C. § 523, state law determines whether the creditor has a claim against debtor, such as for the tort of conversion). Plaintiff has not established that defendant owes it a debt under state law as it has not liquidated the debt in its state court lawsuit against defendant and other parties. Plaintiff has not shown in its moving papers that it has alleged a prima facie case on a claim under state law that defendant owes a debt to it, presumably under California state law (i.e., fraud). Moreover, plaintiff has not shown in its moving papers that the elements of its claims under 11 U.S.C. 523(a)(2) and (6) are sufficiently alleged in its complaint and are satisfied here since none of the elements of these nondischargeability claims are discussed in the moving papers.

Looking at the complaint, the only factual allegations relating to defendant involve her alleged attempt to borrow money from plaintiff for her alleged business, Kassa Global, which attempt was unsuccessful. These allegations alone do not support a fraud claim since there are no damages from that alleged fraud. As alleged in the complaint, plaintiff seeks to hold defendant liable for damages from other frauds committed by other parties because she was allegedly a "co-conspirator," but the allegations of specific fact that she acted as a co-conspirator are limited. The evidence in support of such allegations consists of the Wolfson Declaration with copies of several bank documents of transfers and checks from the other loan borrowers to Kassa Global, purportedly defendant's business. However, there is no evidence that connects defendant with Kassa Global in the complaint or moving papers. For example, plaintiff did not attach to the complaint or moving papers the alleged loan application purportedly submitted by plaintiff

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for Kassa Global. There are only conclusory allegations "on information and belief" that defendant conspired with others to harm plaintiff through a business called Kassa Global without any factual substantiation. Moreover, plaintiff did not identify the specific transfers and checks in the bank documents showing transfers by other borrowers to Kassa Global, making it difficult for the court to ascertain that there were such transfers. As noted above, the complaint does not contain allegations that support a claim that defendant owes plaintiff a debt under state law. The court will require that plaintiff prove up with evidence that defendant is liable to it under state law as a co-conspirator for the liabilities that are owed by other perpetrators.

As indicated in its proposed default judgment, plaintiff moves for an award of \$244,500 in monetary damages, which amount is alleged in the complaint, and an award of attorneys' fees of \$144,831.50 and costs of \$12,268.86, which amounts are not alleged in the complaint. According to a well-known treatise on California civil procedure, relief not demanded in the complaint cannot be granted by default judgment even though that relief otherwise would have been proper. Edmon and Karnow, Rutter Group California Practice Guide: Civil Procedure Before Trial, ¶ 5-233 (online edition, June 2020 update), citing, California Code of Civil Procedure § 580(a) ("The relief granted to the plaintiff, if there is no answer, cannot exceed that demanded in the complaint, in the statement required by Section 425.11 [personal injury or death actions], or in the statement provided for by Section 425.115 [punitive damages actions]" and *Airs Aromatics, LLC v. CBL Data Recovery Technologies, Inc.*, 23 Cal.App.5th 1013, 1018, 233 Cal.Rptr.3d 656, 659 (2018)—default judgment for sum in excess of that demanded in complaint is void. As a limit on type of relief: "It is fundamental to the concept of due process that a defendant be given notice of the existence of a lawsuit and notice of the specific relief which is sought in the complaint served upon him." *Id.*, ¶ 5-234, citing and quoting, *Marriage of Lippel*, 51 Cal.3d 1160, 1166, 276 Cal.Rptr. 290, 292 (1990). In actions for money damages a default judgment is limited to the amount demanded in the complaint. *Id.* ¶ 5:237. Whether a similar rule applies in actions for other than money damages is presently unclear, although the California Supreme Court has noted that California Code of Civil Procedure § 580 "does not distinguish between the type and amount of relief sought." *Id.* citing, *Becker v. S.P.V. Const. Co., Inc.*,

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27 Cal.3d 489, 493, 165 Cal.Rptr. 825, 827 (1980). It does not appear that due process is met here since the amount of damages for attorneys' fees and costs exceed what is specifically alleged in the complaint. Another problem aside from no specific amount of fees and costs are alleged in the complaint, there is no statutory or contractual basis for an award of attorneys' fees cited in the moving papers to support such an award. Plaintiff must show that there is a legal basis for an award of fees.

Party Information

Debtor(s):

Lianna Simonyan

Represented By
Aidan Butler

Defendant(s):

Lianna Simonyan

Pro Se

Movant(s):

Strategic Funding Source, Inc., a

Represented By
Brian T Harvey
Michael S Myers

Plaintiff(s):

Strategic Funding Source, Inc., a

Represented By
Brian T Harvey
Michael S Myers

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

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Adv#: 2:20-01032 Strategic Funding Source, Inc., a New York corpora v. Simonyan

#13.00 Cont'd status conference re: Complaint to determine nondischargeability of debt
[11 U.S.C. §§ 523(a)(2) and (a)(6)]
fr. 4/28/20, 6/30/20, 9/1/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/3/20. No tentative ruling on the merits. Appearances are required on 9/8/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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

Tuesday, September 8, 2020

Hearing Room 1675

2:30 PM

CONT...

Lianna Simonyan

Chapter 7

Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Lianna Simonyan

Represented By
Aidan Butler

Defendant(s):

Lianna Simonyan

Pro Se

Plaintiff(s):

Strategic Funding Source, Inc., a

Represented By
Brian T Harvey

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**

Wednesday, September 9, 2020

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. 6/26/19, 12/11/19, 6/10/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/4/20. No tentative ruling on the merits. Appearances are required on 9/9/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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

Wednesday, September 9, 2020

Hearing Room 1675

11:00 AM

CONT... Dowent Family LLC

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 6/8/20. No tentative ruling on the merits. Appearances are required on 6/10/20 to discuss status of pending state court litigation regarding estate's negligence claims against its former real estate broker, but counsel and self-represented parties must 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, September 9, 2020

Hearing Room 1675

11:00 AM

2:15-24071 Francisco O Lopez

Chapter 11

#2.00 Cont'd status conference re: Post confirmation of plan
fr. RN, 3/25/20, 4/8/20, 7/1/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/4/20. No tentative ruling on the merits. Appearances are required on 9/9/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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

Wednesday, September 9, 2020

Hearing Room 1675

11:00 AM

CONT... Francisco O Lopez

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 6/26/20. No tentative ruling on the merits. Appearances are required on 7/1/20, but counsel and self-represented parties must 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, September 9, 2020

Hearing Room 1675

11:00 AM

2:18-10551 Nina Mosby

Chapter 11

#3.00 Cont'd status conference re: Post confirmation of plan
fr. 12/11/19, 4/8/20, 6/10/20

Docket 77

Tentative Ruling:

Updated tentative ruling as of 9/4/20. No tentative ruling on the merits. Appearances are required on 9/9/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large

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

Wednesday, September 9, 2020

Hearing Room 1675

11:00 AM

CONT... Nina Mosby

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 6/8/20. No tentative ruling on the merits. The court will conduct the status conference in case that the United States Trustee or another party in interest has concerns regarding status, including the making of plan payments, even though debtor reports in her latest status report that she is now current on her plan payments. Appearances are required on 6/10/20, but counsel and self-represented parties must 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, September 9, 2020

Hearing Room 1675

11:00 AM

2:19-10119 David Lee

Chapter 11

#4.00 Cont'd status conference re: Management of chapter 11 case
fr. 3/11/20, 7/22/20, 8/19/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/4/20. This matter will be heard on the 11:30 a.m. hearing calendar with the continued hearing on debtor's motion to approve disclosure statement. No tentative ruling on the merits. Appearances are required on 9/9/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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

Wednesday, September 9, 2020

Hearing Room 1675

11:00 AM

CONT...

David Lee

Chapter 11

Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

David Lee

Represented By
Renee E Sanders

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

Wednesday, September 9, 2020

Hearing Room 1675

11:30 AM

2:18-11475 Catherine Trinh

Chapter 11

#5.00 Cont'd hearing re: Disclosure statement
fr. 4/29/20, 6/3/20, 8/5/20

Docket 277

***** VACATED *** REASON: Cont'd from 9/9/20 to 10/14/20 at 11:00 a.m.
per stip & order entered on 8/26/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 9/4/20. Off calendar. Continued by stipulation and order to 10/14/20 at 11:00 a.m. No appearances are required on 9/9/20.

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 9, 2020

Hearing Room 1675

11:30 AM

2:18-11475 Catherine Trinh

Chapter 11

#6.00 Cont'd status conference re: Post discovery
fr. 4/29/20, 6/3/20, 8/5/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/4/20. Off calendar. The court on its own motion continues this matter to 10/14/20 at 11:00 a.m. to be heard with the case management conference on that date. No appearances are required on 9/9/20.

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 9, 2020

Hearing Room 1675

11:30 AM

2:18-11475 Catherine Trinh

Chapter 11

#7.00 Cont'd status conference re: Management of chapter 11 case
fr. 4/29/20, 6/3/20, 8/5/20

Docket 1

***** VACATED *** REASON: Cont'd from 9/9/20 to 10/14/20 at 11:00 a.m.
per stip & order entered on 8/26/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 9/4/20. Off calendar. Continued by stipulation and order to 10/14/20 at 11:00 a.m. No appearances are required on 9/9/20.

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 9, 2020

Hearing Room 1675

11:30 AM

2:19-10119 David Lee

Chapter 11

#8.00 Cont'd hearing re: Motion for order approving disclosure statement
fr. 8/5/20

Docket 318

Tentative Ruling:

Updated tentative ruling as of 9/4/20. The court notes that debtor filed his amended disclosure statement and plan on 9/3/20. At the last hearing on the original disclosure statement, counsel for debtor stated that the disclosure statement would be amended to address the concerns of objecting creditors and to obtain their consent. The responding parties should indicate whether the amended disclosure statement may proceed with consent, or whether additional time is needed to respond to the amended disclosure statement or whether they object. Otherwise, no tentative ruling on the merits at this time. Appearances are required on 9/9/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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

Wednesday, September 9, 2020

Hearing Room 1675

11:30 AM

CONT... David Lee

Chapter 11

need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling. Since debtor acknowledges in his reply to the objections of creditors that he will need to make revisions to the disclosure statement to address the objections to these documents, the court will defer a ruling on the disclosure statement until these revisions are made. Debtor will need to resolve the disputes regarding the amount of the secured claims of the objecting creditors either informally as indicated by debtor with respect to Green Lawn or by claim objections under FRBP 3007 with respect to both creditors if he cannot reach an agreement. Contrary to debtor's statements in the disclosure statement, disputes over the amounts of the secured claims are not going to be resolved in hearings on the disclosure statement or plan, but through consensual resolution, a claim objection under FRBP 3007, a motion to value secured claim under FRBP 3012 or an adversary proceeding to determine validity and extent of lien under FRBP 7001. In re Dynamic Brokers, Inc., 293 B.R. 489 (9th Cir. BAP 2003); see also, FRBP 3012(b) (determination of amount of a secured claim may be made by motion, a claim objection or Chapter 12 or 13 plan, which rule does not include a Chapter 11 plan). As indicated in the reply, debtor will agree to revise the disclosure statement and plan to address some of the concerns raised by the objecting creditors, but not as to others. The court agrees with debtor in part that certain objections raised by the creditors are issues to be determined at plan confirmation, such as cramdown interest rate, feasibility, good faith and absolute priority test satisfaction. Appearances are required on 8/5/20, but counsel and self-represented parties must appear by telephone.

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

Wednesday, September 9, 2020

Hearing Room 1675

11:30 AM

CONT... David Lee

Chapter 11

Debtor(s):

David Lee

Represented By
David A Tilem

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

Wednesday, September 9, 2020

Hearing Room 1675

2:00 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.

- #9.00** Cont'd hearing re: Issues raised by the disputes over the proposed scheduling order lodged by the Plan Agent, including the deletion of the proposed language of paragraph 11 of the Plan Agent's proposed scheduling order and the objections of Victor Sahn and Douglas Christmas to their further depositions for matters relating to or arising out of the New Cause of Action
fr. 6/24/20, 7/22/20, 8/19/20

Docket 689

Tentative Ruling:

Updated tentative ruling as of 9/4/20. No tentative ruling on the merits. Appearances are required on 9/9/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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

Wednesday, September 9, 2020

Hearing Room 1675

2:00 PM

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

reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Art and Architecture Books of the

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

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

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

Wednesday, September 9, 2020

Hearing Room 1675

2:00 PM

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

Brian L Davidoff
Keith Patrick Banner

Jennifer Kellen

Represented By
J. Bennett Friedman

Michael D. Smith

Represented By
Brian L Davidoff

Kamran Gharibian

Represented By
Brian L Davidoff

Daryoush Dayan

Represented By
Brian L Davidoff

Cathay Bank, a California

Represented By
Ekwan E Rhow
Elliot C Harvey Schatmeier

Jennifer Kellen

Represented By
Michael D Sobkowiak

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
Steven Thomas

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

Wednesday, September 9, 2020

Hearing Room 1675

2:00 PM

CONT...

Art and Architecture Books of the 21st Century
Stephen Sorensen

Chapter 11

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

Wednesday, September 9, 2020

Hearing Room 1675

4:00 PM

2:20-15086 Imperial Standard LLC

Chapter 7

#10.00 Ex parte hearing re Motion in individual case for order Imposing a stay or continuing the automatic stay as the court deems appropriate

Docket 27

Tentative Ruling:

Revised and updated tentative ruling as of 9/8/2020 at 6:00 p.m. Deny debtor's motion to reimpose automatic stay. The statutory provision cited in the motion as the basis for relief, 11 U.S.C. 362(c)(4), to impose or continue the automatic stay is inapplicable since that statute applies to individual debtors who have had 2 or more bankruptcy cases pending within the previous year, but were dismissed. In any event, in this case involving a nonindividual debtor, the automatic stay was lifted by the court's order entered on 8/21/20, which became final on 9/4/20. Once the automatic stay has been lifted, it cannot be "reinstated." *In re Canter*, 299 F.3d 1150, 1155 n. 1 (9th Cir. 2002). Equivalent relief by request for an injunction pursuant to 11 U.S.C. § 105(a) may be available, but only by adversary proceeding. *In re Wallace*, 2012 WL 202586 at *2 (Bankr. D. Idaho 2012) (to the extent that debtors sought reimposition of a stay that had been lifted, this would be injunctive relief, and "injunctive relief must be sought by an adversary proceeding, see Fed. R. Bankr.P. 7001(7), and the several requirements for injunctive relief under Fed. R. Civ. P. 65, incorporated by Fed. R. Bankr.P. 7065, must be satisfied."); *In re Little*, 2007 WL 9775631, 2007 U.S. Dist. LEXIS 117003 at *7-9 (W.D. Wash. 2007).

Similarly, Debtor's Motion to Convert, even if it was being heard on shortened time, does not impact the stay relief order nor reimpose the automatic stay. *In re Winner*, 2020 WL 3634259 at *2 (Robles, J.) (Bankr. C.D. Cal. 2020); *In re Ramirez*, 188 B.R. 413, 415 (Klein, J., concurring) (9th Cir. BAP 1995) (noting that in order to "have a vacated stay 'reimposed,'" one must file an adversary proceeding seeking an injunction [FRBP 7065] or a motion for reconsideration under FRCP 59(e) or 60).

Appearances are required on 9/9/20, but counsel and self-represented parties

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

Wednesday, September 9, 2020

Hearing Room 1675

4:00 PM

CONT... Imperial Standard LLC
must appear by telephone.

Chapter 7

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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Party Information

Debtor(s):

Imperial Standard LLC

Represented By
Todd B Becker

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

Wednesday, September 9, 2020

Hearing Room 1675

4:00 PM

CONT... Imperial Standard LLC

Chapter 7

Movant(s):

Imperial Standard LLC

Represented By
Todd B Becker

Trustee(s):

John P Pringle (TR)

Pro Se

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

Thursday, September 10, 2020

Hearing Room 1675

11:00 AM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

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

- #1.10** Order to show cause hearing by ZOOM why defendant Rita Gail /Farris-Ellison and defendant's attorney James Bryant should not be sanctioned for failure to comply with the court's mediation orders

Docket 454

Tentative Ruling:

Appearances are required for the hearing on 9/10/20. No tentative ruling on the merits. Participants must connect to the Zoom for Government courtroom no later than 10:50 a.m. and check in with the law clerk/DECRO.

a. Video. Utilize the following link:

<https://cacb.zoomgov.com/j/1604819345> and insert

Meeting ID: 160 481 9345 and **Password:** 524972.

b. Audio only. Audio-only participants must call into Zoom for Government by calling:

+1 669 254 5252

or +1 646 828 7666,

with the **Meeting ID:** 160 481 9345 and **Password:** 524972.

Party Information

Debtor(s):

Rita Gail Farris-Ellison

Represented By

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

Thursday, September 10, 2020

Hearing Room 1675

11:00 AM

CONT... Rita Gail Farris-Ellison

Chapter 7

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**

Thursday, September 10, 2020

Hearing Room 1675

11:00 AM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:14-01088 Clark v. Farris-Ellison

- #1.20** Order to show cause hearing by ZOOM why defendant Rita Gail /Farris-Ellison and defendant's attorney James Bryant should not be sanctioned for failure to comply with the court's mediation orders

Docket 71

Tentative Ruling:

Appearances are required for the hearing on 9/10/20. No tentative ruling on the merits. Participants must connect to the Zoom for Government courtroom no later than 10:50 a.m. and check in with the law clerk/DECRO.

a. Video. Utilize the following link:

<https://cacb.zoomgov.com/j/1604819345> and insert

Meeting ID: 160 481 9345 and **Password:** 524972.

b. Audio only. Audio-only participants must call into Zoom for Government by calling:

+1 669 254 5252

or +1 646 828 7666,

with the **Meeting ID:** 160 481 9345 and **Password:** 524972.

Party Information

Debtor(s):

Rita Gail Farris-Ellison

Represented By

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

Thursday, September 10, 2020

Hearing Room 1675

11:00 AM

CONT... Rita Gail Farris-Ellison

Chapter 7

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

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

Thursday, September 10, 2020

Hearing Room 1675

2:00 PM

2:18-18159 Martha Alicia Fernandez

Chapter 7

Adv#: 2:18-01327 Walden et al v. Fernandez

#1.00 Pretrial technical status conference by ZOOM re: Complaint for non-dischargeability of debtor under §523(a)(2)(A) fr. 3/12/20, 4/7/20, 6/9/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/3/20. Appearances are required for the pretrial conference on 9/8/20. No tentative ruling on the merits. Participants must connect to the Zoom for Government courtroom no later than 1:50 p.m. and check in with the law clerk/DECRO.

a. Video. Utilize the following link:

<https://cacb.zoomgov.com/j/1605163641> and insert

Meeting ID: 160 516 3641 and **Password:** 451021.

b. Audio only. Audio-only participants must call into Zoom for Government by calling:

+1 669 254 5252

or +1 646 828 7666,

with the **Meeting ID:** 160 516 3641 and **Password:** 451021.

Prior tentative ruling as of 6/25/20. No tentative ruling on the merits. The court will discuss proceeding with the evidentiary hearing remotely by videoconferencing in light of the current pandemic and has issued an order describing proposed remote trial procedures for the hearing. The court does

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

Thursday, September 10, 2020

Hearing Room 1675

2:00 PM

CONT... Martha Alicia Fernandez

Chapter 7

not intend to conduct in person hearings before 9/1/20. Appearances are required on 6/30/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, this court is only conducting hearings with telephonic appearances for this matter and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Martha Alicia Fernandez

Represented By
Gary S Saunders

Defendant(s):

Martha Alicia Fernandez

Pro Se

Plaintiff(s):

Yvette Walden

Pro Se

Guadalupe L Cruz

Pro Se

Jose L Cruz

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 15, 2020

Hearing Room 1675

10:30 AM

2:19-16807 Medz Trucking Inc.

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(USB Leasing LT VS Debtor)

Docket 22

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 9/15/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Medz Trucking Inc.

Represented By
Michael F Chekian

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 15, 2020

Hearing Room 1675

10:30 AM

2:20-15499 Jose Reyes Ortega

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(TD Auto Finance LLC VS Debtor)

Docket 11

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 9/15/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Jose Reyes Ortega

Represented By
Barry E Borowitz

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 15, 2020

Hearing Room 1675

10:30 AM

2:20-15764 Joseph C. Miskiel and Davida E. Miskiel

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(TD Auto Finance LLC VS Debtors)

Docket 16

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 9/15/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Joseph C. Miskiel

Represented By
Steven B Lever

Joint Debtor(s):

Davida E. Miskiel

Represented By
Steven B Lever

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 15, 2020

Hearing Room 1675

10:30 AM

2:20-16634 June J Park

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(Honda Lease Trust VS Debtor)

Docket 9

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 9/15/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

June J Park

Represented By
Young K Chang

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 15, 2020

Hearing Room 1675

10:30 AM

2:20-17042 Tony S L Chen

Chapter 7

#5.00 Hearing re: Motion for relief from stay
(Eric Tu VS Debtor)

Docket 9

Tentative Ruling:

Corrected tentative ruling as of 9/14/20: Deny motion for relief from the automatic stay for the following reasons: (1) the proof of service on the original filed motion is blank, and thus, there is no evidence on the record that debtor was served with the motion (however, the court notes that there is a signed proof of service on the judge's copy, which is not of record on the docket - movant will have to file a corrected proof of service on the case docket); (2) there is inadequate cause for granting stay relief under 11 U.S.C. 362(d)(1) because none of the claims in the complaint for the state court lawsuit are nondischargeable and there is no need to liquidate the claims because the Chapter 7 trustee filed a no distribution report in this case - movant argues that there are nondischargeable claims under 11 U.S.C. 523(a)(2)(a) and 523(a)(19)(B), but 11 U.S.C. 523(a)(2)(A) does not apply because none of the claims are based on fraud and 11 U.S.C. 523(a)(19) does not apply because none of the claims allege securities law fraud (11 U.S.C. 523(a)(19)(B) is not a stand alone provision, but must be read with 11 U.S.C. 523(a)(19)(A) pertaining only to securities law fraud claims); (3) movant has not shown that there is a need for retroactive annulment of stay and that there is evidence to support findings for stay annulment as set forth in *In re Gasprom, Inc.*, 500 B.R. 598, 607-608 (9th Cir. BAP 2013); and (4) there is no legal or evidentiary basis for the extraordinary relief requested that any stay relief is binding in any bankruptcy case commenced by the debtor for 180 days or in any future bankruptcy case, no matter who the debtor is, *In re Van Ness*, 399 B.R. 897 (Bankr. E.D Cal. 2009). Appearances are required on 9/15/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS
MATTER:

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

Tuesday, September 15, 2020

Hearing Room 1675

10:30 AM

CONT... Tony S L Chen

Chapter 7

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Tony S L Chen

Pro Se

Movant(s):

Eric Tu

Represented By
Chi L Ip

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

Tuesday, September 15, 2020

Hearing Room 1675

10:30 AM

CONT... Tony S L Chen

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, September 15, 2020

Hearing Room 1675

11:00 AM

2:20-17484 Four Seasons International Gruop, LLC

Chapter 7

#6.00 Order to show cause why case should not be dismissed pursuant to Local Bankruptcy Rule 9011-2(a)

Docket 6

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 9/15/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large

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

Tuesday, September 15, 2020

Hearing Room 1675

11:00 AM

CONT... Four Seasons International Gruop, LLC

Chapter 7

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Four Seasons International Gruop, 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, September 15, 2020

Hearing Room 1675

1:30 PM

2:16-24760 Philip Joseph Jaurigui

Chapter 7

Adv#: 2:18-01351 Mover v. Jaurigui

- #7.00** Cont'd status conference re: Complaint for nondischargeability under 11 U.S.C. §§523(a)(2)(A), 523(a)(2)(B), 523(a)(6); and objection to discharge under §§727(a)(2), 727(a)(4)
fr. 5/12/20, 5/26/20, 8/4/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/11/20. No tentative ruling on the merits. Since the mediation was completed without settlement, the court will discuss setting further proceedings with the parties. Appearances are required on 9/15/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance

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

Tuesday, September 15, 2020

Hearing Room 1675

1:30 PM

CONT...

Philip Joseph Jaurigui

Chapter 7

reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 8/3/20. No tentative ruling on the merits. Parties are to report on the status of the mediation before Judge Donovan. The court has been informally advised that Judge Donovan is ready to proceed with a Zoom mediation and the parties will need to contact his courtroom deputy to set up the mediation appointment. Appearances are required on 8/4/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 5/22/20. The court will discuss with the parties the status of the mediation with Judge Donovan, who is apparently amenable to conducting mediation by videoconferencing or telephone, perhaps through Zoom which has been used by other judges successfully for mediation. Appearances are required on 5/26/20 by telephone in accordance with the procedures set forth in the tentative ruling of 5/8/20 below.

Prior tentative ruling as of 5/8/20. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 5/12/20 to discuss the status of the adversary proceeding, including the status of the pending mediation, outstanding discovery, whether the trial can be conducted remotely by videoconferencing as opposed to in person and when a pretrial conference and other further proceedings should be set, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 3/9/20. Continued by stipulation and order to 5/12/20 at 1:30 p.m. No appearances are required on 3/10/20.

Prior tentative ruling as of 1/13/20. The court has reviewed the joint status report. Appearances are required on 1/14/20 to discuss scheduling of pretrial

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

Tuesday, September 15, 2020

Hearing Room 1675

1:30 PM

CONT...

Philip Joseph Jaurigui

Chapter 7

conference and coordination of trial with related adversary proceeding, but counsel may appear by telephone.

Prior tentative ruling as of 9/16/19. Because the discovery cutoff date was extended to 12/31/19 and discovery is continuing to that date, the court was inclined to set a post-discovery status conference or a pretrial conference for after the discovery cutoff date. Appearances are required on 9/17/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. Appearances are required on 6/25/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/10/19. No tentative ruling on the merits. Appearances are required on 6/11/19, but counsel may appear by telephone.

Prior tentative ruling. Set a discovery cutoff date of 8/30/19 and a post-discovery status conference on 9/17/19 at 1:30 p.m. A joint status report is due on 9/10/19. Appearances are required on 1/8/19, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Philip Joseph Jaurigui

Represented By
Leonard Pena

Defendant(s):

Philip Joseph Jaurigui

Pro Se

Plaintiff(s):

Jonathan Mover

Represented By
Steven R Fox

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 15, 2020

Hearing Room 1675

1:30 PM

2:16-24760 Philip Joseph Jaurigui

Chapter 7

Adv#: 2:18-01352 Swing House Rehearsal and Recording, Inc. v. Jaurigui

- #8.00** Cont'd status conference re: Complaint by Swing House Rehearsal and Recording, Inc. against Philip Joseph Jaurigui for nondischargeability under 11 U.S.C. §§523(A)(4) and 523(a)(6); and objection to discharge under §727(a)(4) fr. 5/12/20, 5/26/20, 8/4/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/11/20. No tentative ruling on the merits. Since the mediation was completed without settlement, the court will discuss setting further proceedings with the parties. Appearances are required on 9/15/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to

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

Tuesday, September 15, 2020

Hearing Room 1675

1:30 PM

CONT... Philip Joseph Jaurigui

Chapter 7

call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 8/3/20. No tentative ruling on the merits. Parties are to report on the status of the mediation before Judge Donovan. The court has been informally advised that Judge Donovan is ready to proceed with a Zoom mediation and the parties will need to contact his courtroom deputy to set up the mediation appointment. Appearances are required on 8/4/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 5/22/20. The court will discuss with the parties the status of the mediation with Judge Donovan, who is apparently amenable to conducting mediation by videoconferencing or telephone, perhaps through Zoom which has been used by other judges successfully for mediation. Appearances are required on 5/26/20 by telephone in accordance with the procedures set forth in the tentative ruling of 5/8/20 below.

Prior tentative ruling as of 5/8/20. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 5/12/20 to discuss the status of the adversary proceeding, including the status of the pending mediation, outstanding discovery, whether the trial can be conducted remotely by videoconferencing as opposed to in person and when a pretrial conference and other further proceedings should be set, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 3/9/20. Off calendar. Continued by stipulation and order to 5/12/20 at 1:30 p.m. No appearances are required on 3/10/20.

Prior tentative ruling as of 1/13/20. The court has reviewed the joint status report. Appearances are required on 1/14/20 to discuss scheduling of pretrial conference and coordination of trial with related adversary proceeding, but

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

Tuesday, September 15, 2020

Hearing Room 1675

1:30 PM

CONT... **Philip Joseph Jaurigui**
counsel may appear by telephone.

Chapter 7

Prior tentative ruling as of 9/16/19. Because the discovery cutoff date was extended to 12/31/19 and discovery is continuing to that date, the court was inclined to set a post-discovery status conference or a pretrial conference for after the discovery cutoff date. Appearances are required on 9/17/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. Appearances are required on 6/25/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/10/19. No tentative ruling on the merits. Appearances are required on 6/11/19, but counsel may appear by telephone.

Prior tentative ruling. Set a discovery cutoff date of 8/30/19 and a post-discovery status conference on 9/17/19 at 1:30 p.m. A joint status report is due on 9/10/19. Appearances are required on 1/8/19, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Philip Joseph Jaurigui

Represented By
Leonard Pena

Defendant(s):

Philip Joseph Jaurigui

Pro Se

Plaintiff(s):

Swing House Rehearsal and

Represented By
Steven R Fox

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 15, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01467 Avery v. Mercedes-Benz Financial Service USA LLC

#9.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential and fraudulent transfers fr. 3/3/20, 5/5/20, 7/14/20

Docket 1

***** VACATED *** REASON: Cont'd from 9/15/20 to 11/17/20 at 1:30 p.m. per stip & order entered on 9/1/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 11/17/20 at 1:30 p.m. No appearances are required on 9/15/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Mercedes-Benz Financial Service

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, September 15, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01468 Avery v. Baldwin Sun Inc.

#10.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of fraudulent and transfers
fr. 3/3/20, 5/5/20, 7/14/20

Docket 1

***** VACATED *** REASON: Cont'd from 9/15/20 to 11/17/20 at 1:30 p.m.
per stip & order entered on 9/8/20-mb**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 11/17/20 at 1:30 p.m. No appearances are required on 9/15/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Baldwin Sun Inc.

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Tuesday, September 15, 2020

Hearing Room 1675

1:30 PM

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

Chapter 7

Adv#: 2:19-01470 Avery v. JC Rack Systems

#11.00 Cont'd status conference re: Complaint for avoidance and recovery of fraudulent transfers
fr. 3/3/20, 5/5/20, 7/14/20

Docket 1

***** VACATED *** REASON: Cont'd from 9/15/20 to 11/17/20 at 1:30 p.m.
per stip & order entered on 9/8/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 9/11/20. Off calendar. Continued by stipulation and order to 11/17/20 at 1:30 p.m. No appearances are required on 9/15/20.

Prior tentative ruling as of 3/2/20. Off calendar. Continued by stipulation and order to 5/5/20 at 1:30 p.m. No appearances are required on 3/3/20.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in order for plaintiff to file a request for entry of default against defendant and to file a motion for default judgment. The court on its own motion continues the status conference to 3/3/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

JC Rack Systems

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

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

Tuesday, September 15, 2020

Hearing Room 1675

1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

Trustee(s):

Wesley H. Avery

Represented By

Kristofer R McDonald

Richard A Marshack

D Edward Hays

David Wood

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

Tuesday, September 15, 2020

Hearing Room 1675

1:30 PM

2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01471 Avery v. Los Angeles County Tax Collector

#12.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of fraudulent and unauthorized postpetition transfers fr. 1/7/20, 3/10/20, 5/5/20, 7/14/20

Docket 1

***** VACATED *** REASON: Cont'd from 9/15/20 to 11/17/20 at 1:30 p.m. per stip & order entered on 9/1/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 11/17/20 at 1:30 p.m. No appearances are required on 9/15/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Los Angeles County Tax Collector

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 15, 2020

Hearing Room 1675

1:30 PM

2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01473 Avery v. Sio, LLC

#13.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential and fraudulent transfers fr. 3/3/20, 5/5/20, 7/14/20

Docket 1

***** VACATED *** REASON: Cont'd from 9/15/20 to 11/17/20 at 1:30 p.m. per stip & order entered on 9/8/20-mb**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 11/17/20 at 1:30 p.m. No appearances are required on 9/15/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Sio, LLC

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 15, 2020

Hearing Room 1675

2:00 PM

2:11-35922 Victor Huevo

Chapter 7

Adv#: 2:11-02825 Ball v. Huevo

#14.00 Status conference: Discuss and schedule further proceedings in this adversary proceeding on remand

Docket 296

Tentative Ruling:

Revised and updated tentative ruling as of 9/14/20. The court has reviewed the joint status report, filed on 9/3/20, stating that the Ninth Circuit has issued an order to show cause regarding its jurisdiction in light of the Bankruptcy Appellate Panel's remand of the case to this court, and the court has reviewed defendant's response to the OSC filed on 9/8/20. It appears to the court to avoid the inefficiencies from a piecemeal appeal pointed out by defendant in its response to the circuit to the OSC, the parties could stipulate or move that the court issue an indicative ruling for an amended judgment pursuant to the BAP's mandate and Federal Rule of Civil Procedure 62.1 and Local Bankruptcy Rule 1001-1(e), so that pursuant to Federal Rule of Appellate Procedure 12.1, they can move the circuit for a limited remand to enter an amended judgment if the court lacks jurisdiction to enter the amended judgment now due to the pending appeal. See *Davis v. Yageo Corp.*, 481 F.3d 661, 685 (9th Cir. 2007). Appearances are required on 9/15/20 to discuss the status of the briefing on the Ninth Circuit's OSC and the jurisdiction of this court on remand in light of defendant's further appeal to the Ninth Circuit, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 15, 2020

Hearing Room 1675

2:00 PM

CONT...

Victor Huevo

Chapter 7

telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Victor Huevo

Represented By
Baruch C Cohen

Defendant(s):

Victor Huevo

Represented By
M. Jonathan Hayes

Plaintiff(s):

Joey Ball

Represented By
Paul C Bauducco
Nicholas S Kanter

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 15, 2020

Hearing Room 1675

2:00 PM

CONT... Victor Huezo

Chapter 7

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Courtroom 1675 Calendar**

Tuesday, September 15, 2020

Hearing Room 1675

2:30 PM

2:20-14932 Ousmane Conde

Chapter 7

#15.00 Hearing re: United States Trustee's Motion to Convert Case from Chapter 7 to Chapter 11 Pursuant to 11 U.S.C. section 706(b)

Docket 13

***** VACATED *** REASON: Cont'd from 9/15/20 to 10/6/20 at 2:30 p.m.
per order entered on 9/4/20-pp.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 10/6/20 at 2:30 p.m. No appearances are required on 9/15/20.

Party Information

Debtor(s):

Ousmane Conde

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, September 15, 2020

Hearing Room 1675

2:30 PM

2:18-13759 Charles Peters

Chapter 11

#16.00 Cont'd hearing re: Motion to invalidate portion of lien of County of Riverside to secure
claim of City of Beaumont FRBP 7001(2); FRBP 3012(c)
fr. 8/18/20, 9/2/20

Docket 341

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 9/15/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 15, 2020

Hearing Room 1675

2:30 PM

CONT...

Charles Peters

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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**

Tuesday, September 15, 2020

Hearing Room 1675

2:30 PM

2:18-13759 Charles Peters

Chapter 11

#17.00 Cont'd hearing re: Debtor's motion to vacate order for relief from stay
fr. 8/5/20, 8/18/20, 9/2/20

Docket 342

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 9/15/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 15, 2020

Hearing Room 1675

2:30 PM

CONT...

Charles Peters

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, September 16, 2020

Hearing Room 1675

11:00 AM

2:16-24758 Swing House Rehearsal and Recording, Inc.

Chapter 11

#1.00 Cont'd status conference re: Post confirmation of plan
fr. 8/14/19, 12/11/19, 3/11/20

Docket 1

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 9/16/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 16, 2020

Hearing Room 1675

11:00 AM

CONT... Swing House Rehearsal and Recording, Inc.

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, September 16, 2020

Hearing Room 1675

11:00 AM

2:17-15033 Shapphire Resources, LLC

Chapter 11

#2.00 Cont'd hearing re: Disclosure statement
fr. 6/3/20, 7/22/20

Docket 164

***** VACATED *** REASON: Cont'd from 9/16/20 to 11/18/20 at 11:00
a.m. per stip & order entered on 9/15/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 9/15/20. Off calendar. Continued by stipulation and order to 11/18/20 at 11:00 a.m. No appearances are required on 9/15/20.

Prior tentative ruling as of 6/2/20. Off calendar. Continued by stipulation between debtor and secured creditor MTGLQ Investors, LP, and order to 7/22/20 at 11:00 a.m. to allow these parties some additional time to negotiate consensual plan treatment of the secured claim. Counsel for debtor must notify by email or phone counsel for secured creditors MTGLQ and U.S. Bank, Mr. Garan and Ms. Weifenbach, of the continuance.

Prior tentative ruling as of 5/28/20.

Deny approval of amended disclosure statement for failure to contain adequate information.

Regarding creditor MTGLQ Investors, LP's objection to debtor's disclosure statement, the court has the following comments. Regarding the sufficiency of debtor's organizational status, debtor should address creditor's contention that it is not in active organizational status as a Utah limited liability company. Regarding its objection to Option 1, the treatment there is only an option and apparently offered to incentivize that creditor with a higher interest rate and valuation of the secured claim. However, it is only an alternative as the default is Option 2, which is the proposed treatment of the claim, which does not eliminate the unsecured claim in violation of due process of law.

Regarding creditor's objection to Option 2, debtor argues that it may proceed under the "new value" exception to the absolute priority rule, and whether the

**United States Bankruptcy Court
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Wednesday, September 16, 2020

Hearing Room 1675

11:00 AM

CONT... Shapphire Resources, LLC

Chapter 11

proposed new value is sufficient to qualify for the exception is probably an issue for plan confirmation. See *In re Ambanc La Mesa Ltd. Partnership*, 115 F.3d 650, 654-655 (9th Cir. 1997). As to the proposed payout of unsecured claims over 90 calendar quarters, or 22.5 years, the issue is also probably a plan confirmation issue. If a creditor objects, it is highly unlikely that the court would overrule the objection because 22.5 years is unreasonably long for unsecured creditors to be paid. If there were no objection, the creditors could consent to such treatment by voting in favor of the plan. In the court's view, debtor has an uphill battle to demonstrate a payout longer than 5 years on unsecured claims is fair and equitable, especially since this case has been pending for almost four years, resulting in a wait of almost nine years for unsecured creditors to be paid in this case.

Regarding the value of the Cold Plains property, there is apparently a dispute regarding valuation of the property and creditor's secured claim. The parties should advise whether they agree to a value or if there will be a factual dispute over valuation of the property and the secured claim. If there is going to be a dispute over the value of the secured claim, the court will require debtor to file a motion to value the secured claim under FRBP 3012 or an adversary proceeding pursuant to FRBP 7001 rather than litigating value through plan confirmation proceedings.

Regarding the creditor's objection to the reduction of creditor's secured claim by the amount of the adequate protection payments, the creditor is correct in asserting that creditor should be given credit for the rental income on the property under 11 U.S.C. 552(b) and the holding of *In re Ambanc La Mesa Ltd. Partnership*, 115 F.3d at 654, though debtor is correct in asserting that the adequate protection payments reduce the amount of the secured claim pursuant to 11 U.S.C. 361(1) as creditor is undersecured and cannot claim postpetition interest as part of its secured claim. See also, *United Savings Association of Texas v. Timbers of Inwood Forest Associates, Ltd.*, 484 U.S. 365, 372-374 (1988). If debtor does not give credit to creditor on calculating its secured claim for the postpetition rental income contrary to *Ambanc La Mesa*, such would be grounds for denial of confirmation as not treating the dissenting secured class fairly and equitably, and would make the plan patently unconfirmable to warrant disapproval of the disclosure statement on

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, September 16, 2020

Hearing Room 1675

11:00 AM

CONT... Shapphire Resources, LLC

Chapter 11

the merits. See In re Arnold, 471 B.R. 578, 586 (Bankr. C.D. Cal. 2012).

Regarding the adequacy of the financial information for the disclosure statement, the court agrees with creditor's objection that the financial information provided is skimpy and inadequate. The income and expense statement is deficient because there is no information of expenses and there is no historical information of income and expenses. Appending bank statements and monthly operating reports is not an adequate substitute for providing historical information of income and expenses and reasonable future projections of income and expenses, which should be presented on a spreadsheet form, at least, two years back and five years forward.

The court will grant limited amount of time to debtor to further amend the disclosure statement to address these concerns, or may soon issue an order to show cause re: dismissal, given the lack of apparent progress in confirming plan in this case.

Appearances are required on 6/3/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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 16, 2020

Hearing Room 1675

11:00 AM

2:17-15033 Shapphire Resources, LLC

Chapter 11

#3.00 Cont'd status conference re: Management of chapter 11 case
fr. 4/29/20, 6/3/20, 7/22/20

Docket 1

***** VACATED *** REASON: Cont'd from 9/16/20 to 11/18/20 at 11:00
a.m. per stip & order entered on 9/15/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 9/15/20. Off calendar. Continued by stipulation and order to 11/18/20 at 11:00 a.m. No appearances are required on 9/16/20.

Prior tentative ruling as of 6/2/20. Off calendar. Continued by stipulation between debtor and secured creditor MTGLQ Investors, LP, and order to 7/22/20 at 11:00 a.m. to allow these parties some additional time to negotiate consensual plan treatment of the secured claim. Counsel for debtor must notify by email or phone counsel for secured creditors MTGLQ and U.S. Bank, Mr. Garan and Ms. Weifenbach, of the continuance.

Prior tentative ruling as of 5/28/20. No tentative ruling on the merits.

Appearances are required on 6/3/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted 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, September 16, 2020

Hearing Room 1675

11:00 AM

CONT... Shapphire Resources, LLC

Chapter 11

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 16, 2020

Hearing Room 1675

11:00 AM

2:18-10524 Fox Property Holdings, LLC

Chapter 11

#4.00 Cont'd status conference re: Management of chapter 11 case
fr. 2/19/20, 6/3/20, 7/1/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/11/20. No tentative ruling on the merits. Appearances are required on 9/16/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, September 16, 2020

Hearing Room 1675

11:00 AM

CONT... Fox Property Holdings, LLC

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 6/26/20. No tentative ruling on the merits. Appearances are required on 7/1/20, but counsel and self-represented parties must 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, September 16, 2020

Hearing Room 1675

11:00 AM

2:18-21789 Samuel Marquez

Chapter 11

#5.00 Cont'd technical pretrial conference re: Objection to claim no.1 filed by the Internal Revenue Service
fr. 4/29/20, 6/10/20, 7/8/20

Docket 39

Tentative Ruling:

Updated tentative ruling as of 9/11/20. No tentative ruling on the merits. Appearances are required on 9/16/20 to discuss the status of the mediation which the court had ordered, but counsel and self-represented parties must appear by telephone. The hearing will be conducted as a status conference, and not a pretrial conference.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 16, 2020

Hearing Room 1675

11:00 AM

CONT...

Samuel Marquez

Chapter 11

scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Revised tentative ruling as of 7/7/20. No tentative ruling on the merits. Since the court approved the order referring the matter to mediation on 7/6/20, the court will discuss scheduling the mediation proceedings and sequencing with the evidentiary hearing. Parties to advise if they have been able to schedule an appointment with the selected mediator. Appearances are required on 7/8/20, but counsel and self-represented parties must 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, September 16, 2020

Hearing Room 1675

11:00 AM

2:18-21789 Samuel Marquez

Chapter 11

#6.00 Cont'd status conference re: Management of chapter 11 case
fr. 5/6/20, 6/10/20, 7/8/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/11/20. No tentative ruling on the merits. Appearances are required on 9/16/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 16, 2020

Hearing Room 1675

11:00 AM

CONT... Samuel Marquez

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Revised tentative ruling as of 7/7/20. No tentative ruling on the merits. Appearances are required on 7/8/20, but counsel and self-represented parties must 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, September 16, 2020

Hearing Room 1675

11:00 AM

2:19-10297 Roger Timothy Ruiz

Chapter 11

#7.00 Hearing re: Final application for payment of compensation and expenses to bankruptcy general counsel for debtor in possession [11 U.S.C. §§330, F.R.B.P. §2016, LBR § 2016-1] for the period of January 11, 2019 through August 1, 2020

Docket 117

Tentative Ruling:

Updated tentative ruling as of 9/15/20. Off calendar. Continued to 9/23/20 at 11:00 a.m. based on applicant's ex parte request due to a family emergency. No appearances are required on 9/16/20. Applicant to give notice to debtor and interested parties.

Prior tentative ruling. Approve the final fee application of general bankruptcy counsel for debtor in possession for the reasons stated in the fee application and for lack of timely written objection.

Party Information

Debtor(s):

Roger Timothy Ruiz

Represented By
Marcus G Tiggs

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 16, 2020

Hearing Room 1675

11:30 AM

2:12-16195 David Alan Wilson

Chapter 7

Adv#: 2:12-01317 McKnew, Thomas I. IV et al v. Wilson

#7.10 Status conference re: Plaintiffs' application and order for appearance and examination - Michelle Wilson

Docket 571

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 9/16/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 16, 2020

Hearing Room 1675

11:30 AM

CONT... **David Alan Wilson**

Chapter 7

operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

David Alan Wilson

Represented By
Michael N Nicastrò
Christina M Chan
Eryk R Escobar

Defendant(s):

David A Wilson

Represented By
Jon-Michael A Marconi
James Andrew Hinds Jr
David Samuel Shevitz
Christopher A Dias

Plaintiff(s):

McKnew, Thomas I. IV

Represented By
James Andrew Hinds Jr
Paul R Shankman
Hye Jin Jang
Brian Barouir Yeretziàn
Rachel M Sposato

Lisa A McKnew

Represented By
James Andrew Hinds Jr
Paul R Shankman
Hye Jin Jang
Brian Barouir Yeretziàn
Rachel M Sposato

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 16, 2020

Hearing Room 1675

11:30 AM

CONT... David Alan Wilson

Chapter 7

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 16, 2020

Hearing Room 1675

11:30 AM

2:12-16195 David Alan Wilson

Chapter 7

Adv#: 2:12-01317 McKnew, Thomas I. IV et al v. Wilson

#7.20 Status conference re: Plaintiffs' application and order for appearance and examination - Beata Wilson

Docket 572

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 9/16/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 16, 2020

Hearing Room 1675

11:30 AM

CONT... **David Alan Wilson**

Chapter 7

operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

David Alan Wilson

Represented By
Michael N Nicastrò
Christina M Chan
Eryk R Escobar

Defendant(s):

David A Wilson

Represented By
Jon-Michael A Marconi
James Andrew Hinds Jr
David Samuel Shevitz
Christopher A Dias

Plaintiff(s):

McKnew, Thomas I. IV

Represented By
James Andrew Hinds Jr
Paul R Shankman
Hye Jin Jang
Brian Barouir Yeretziàn
Rachel M Sposato

Lisa A McKnew

Represented By
James Andrew Hinds Jr
Paul R Shankman
Hye Jin Jang
Brian Barouir Yeretziàn
Rachel M Sposato

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 16, 2020

Hearing Room 1675

11:30 AM

CONT... David Alan Wilson

Chapter 7

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 16, 2020

Hearing Room 1675

1:30 PM

2:13-14135 Art and Architecture Books of the 21st Century

Chapter 11

#8.00 Cont'd status conference re: Post confirmation of plan
fr. 5/1/19, 9/18/19, 1/15/20

Docket 1

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 9/16/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 16, 2020

Hearing Room 1675

1:30 PM

CONT... Art and Architecture Books of the 21st Century Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, September 16, 2020

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.

- #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. 10/2/19, 11/21/19, 1/15/20

Docket 1

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 9/16/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 16, 2020

Hearing Room 1675

1:30 PM

CONT... Art and Architecture Books of the 21st Century Chapter 11

call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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**

Thursday, September 17, 2020

Hearing Room 1675

10:00 AM

2:18-18159 Martha Alicia Fernandez

Chapter 7

Adv#: 2:18-01327 Walden et al v. Fernandez

**#1.00 TRIAL BY ZOOM RE: Complaint for non-dischargeability of debtor under §523(a)(2)
(A)
fr. 4/7/20, 6/9/20, 6/30/20**

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/16/20. In considering defendant's objections to the trial declarations of witnesses called by plaintiffs, a number of the statements made in the declarations are objectionable on grounds of lack of foundation and improper opinion, such as statements saying that defendant was "very confident" of her recommendations, or defendant "gave assurances," or defendant "basically talked me into it," or "we were promised" certain things, which do not provide a foundation for such statements as who said what to whom. The declarations are replete with such statement. Moreover, it is not clear that the declarants personally heard the statements purportedly made by defendant. Plaintiffs will have to address these concerns, or otherwise, the objections will be sustained. Defendant will have to explain her objections on grounds of "not of truth contents."

Prior tentative ruling as of 9/11/20.

Participants must connect to the Zoom for Government courtroom no later than 9:45 a.m. and check in with the law clerk/DECRO.

a. Video. Utilize the following link: <https://cacb.zoomgov.com/j/1617847303>

and insert Meeting ID: 161 784 7303

and Password: 627055.

b. Audio only. Audio-only participants must call into Zoom for Government by calling:

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, September 17, 2020

Hearing Room 1675

10:00 AM

CONT... Martha Alicia Fernandez
+1 669 254 5252, or +1 646 828 7666;

Chapter 7

and insert Meeting ID: 161 784 7303

and Password: 627055

If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Martha Alicia Fernandez

Represented By
Gary S Saunders

Defendant(s):

Martha Alicia Fernandez

Pro Se

Plaintiff(s):

Yvette Walden

Pro Se

Guadalupe L Cruz

Pro Se

Jose L Cruz

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**

Friday, September 18, 2020

Hearing Room 1675

9:30 AM

2:18-18159 Martha Alicia Fernandez

Chapter 7

Adv#: 2:18-01327 Walden et al v. Fernandez

#1.10 CONT'D TRIAL BY ZOOM RE: Complaint for non-dischargeability of debtor under § 523(a)(2)(A)
fr. 4/7/20, 6/9/20, 6/30/20, 9/17/20

Docket 1

Tentative Ruling:

Supplemental tentative ruling as of 9/17/20: In closing argument, counsel should advise the court as to which issues of fact and of law in the amended joint pretrial stipulation that you are still requesting the court to decide and which ones that you are no longer asking the court to decide. The parties should also address the applicability of California Business and Professions Code Section 7031(b) to the element of damages on plaintiffs' fraud claim under California law and 11 U.S.C. Section 523(a)(2)(A). See also, *MW Erectors, Inc. v. Niederhauser Ornamental & Metal Works Co., Inc.*, 36 Cal.4th 412 (2005).

Updated tentative ruling as of 9/17/20:

Day 2 of the trial of the adversary proceeding will resume at 9:30 a.m. rather than 10:00 a.m. based on the agreement of the parties and approval of the court on 9/17/20.

Participants must connect to the Zoom for Government courtroom no later than 9:20 a.m. and check in with the law clerk/DECRO.

a. Video. Utilize the following link: <https://cacb.zoomgov.com/j/1605217334>

and insert Meeting ID: 160 521 7334

and Password: 388394.

b. Audio only. Audio-only participants must call into Zoom for Government by calling:

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, September 18, 2020

Hearing Room 1675

9:30 AM

CONT... Martha Alicia Fernandez

Chapter 7

+1 669 254 5252, or +1 646 828 7666;

and insert Meeting ID: 160 521 7334

and Password: 388394.

If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Martha Alicia Fernandez

Represented By
Gary S Saunders

Defendant(s):

Martha Alicia Fernandez

Pro Se

Plaintiff(s):

Yvette Walden

Pro Se

Guadalupe L Cruz

Pro Se

Jose L Cruz

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**

Friday, September 18, 2020

Hearing Room 1675

10:00 AM

2:18-18159 Martha Alicia Fernandez

Chapter 7

Adv#: 2:18-01327 Walden et al v. Fernandez

#1.00 CONT'D TRIAL BY ZOOM RE: Complaint for non-dischargeability of debtor under § 523(a)(2)(A)
fr. 6/9/20, 6/30/20, 9/17/20

Docket 1

***** VACATED *** REASON: Hearing advanced to 9:30 a.m.-mb.**

Tentative Ruling:

Updated tentative ruling as of 9/17/20:

Day 2 of the trial of the adversary proceeding will resume at 9:30 a.m. rather than 10:00 a.m. based on the agreement of the parties and approval of the court on 9/17/20.

Participants must connect to the Zoom for Government courtroom no later than 9:20 a.m. and check in with the law clerk/DECRO.

a. Video. Utilize the following link: <https://cacb.zoomgov.com/j/1605217334>

and insert Meeting ID: 160 521 7334

and Password: 388394.

b. Audio only. Audio-only participants must call into Zoom for Government by calling:

+1 669 254 5252, or +1 646 828 7666;

and insert Meeting ID: 160 521 7334

and Password: 388394.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, September 18, 2020

Hearing Room 1675

10:00 AM

CONT... Martha Alicia Fernandez

Chapter 7

If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Martha Alicia Fernandez

Represented By
Gary S Saunders

Defendant(s):

Martha Alicia Fernandez

Pro Se

Plaintiff(s):

Yvette Walden

Pro Se

Guadalupe L Cruz

Pro Se

Jose L Cruz

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**

Wednesday, September 23, 2020

Hearing Room 1675

11:00 AM

2:19-10119 David Lee

Chapter 11

#1.10 Cont'd hearing re: Motion for order approving disclosure statement
fr. 8/5/20, 9/9/20

Docket 318

Tentative Ruling:

Further revised and updated tentative ruling as of 9/22/20. The court notes that since the last hearing, debtor has reached tentative agreement with the two secured creditors which objected to his disclosure statement. Debtor and Rehabbers Financial filed a stipulation on 9/16/20 that the creditor would refrain from objecting to the first amended disclosure statement, if certain language was included in the amended disclosure statement, but reserving any right to object to plan confirmation. Debtor and Green Lawn filed a joint statement on 9/21/20 that they have reached a tentative agreement as to plan treatment of Green Lawn's secured claim, provided that such language for such treatment is included in the disclosure statement before the hearing on 9/23/20, but as of 9/21/20, the language has not yet been included in the disclosure statement.

Because the Dunsmuir property was debtor's residence as of the petition date, the rights of the holders of claims secured only by a security interest in that property are protected by the anti-modification provisions of 11 U.S.C. 1123(b)(5), namely, the secured claims of U.S. Bank and Coral Mortgage Holdings, see *In re Abdelgadir*, 455 B.R. 896 (9th Cir. BAP 2011), and the court cannot confirm a plan containing such modifications in violation of the Bankruptcy Code under 11 U.S.C. 1129(a). Accordingly, the proposed five modifications of the rights of those claims should be deleted, though debtor may properly cure or obtain waiver of defaults based on those rights in this case under 11 U.S.C. 1123(a)(5)(G).

Debtor must include in the disclosure statement, plan and/or plan confirmation order the mandatory language of LBR 3020-1(b) that property of the reorganized debtor or successor in interest vests in the Chapter 7 estate if the case is converted to Chapter 7.

**United States Bankruptcy Court
Central District of California
Los Angeles
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Wednesday, September 23, 2020

Hearing Room 1675

11:00 AM

CONT... David Lee

Chapter 11

Regarding the professional compensation enforcement provisions in Exhibit H, which are apparently additional contractual provisions subject to California law, the unilateral attorneys' fee recovery provision is subject to California Civil Code 1717, which makes it bilateral and awardable only to the prevailing party, and only reasonable attorneys' fees are awardable as recovery costs under California Code of Civil Procedure 1033.5(a)(10)(A), (B) and (C). Counsel must also explain the rationale for the proposed 10 percent interest rate on the judgment for professional compensation awarded on a final basis in this case since the award of fees will be a federal judgment and the federal postjudgment rate under 28 U.S.C. 1961 is less than 10 percent, i.e., the weekly average 1-year constant maturity (nominal) Treasury yield, as published by the Federal Reserve System.

The language regarding the treatment of Class 12 general unsecured claims (page 15 of the Plan and page 29 of the disclosure statement) needs to be clarified. The liquidation analysis on page 47 of the disclosure statement states that 100 percent of Class 12 claims will be paid, but the treatment stated on page 29 of the plan does not state that. Page 29 states that it depends on the outcome of the Class 7 claimholder election and the outcome of claim objections. The language should specify a minimum distribution with estimates based on certain outcomes relating to the Class 7 claimholder election and the outcome of claim objection litigation. Also, the treatment on page 20 does not specify when claims will be paid other than in "equal monthly installments" without stating the duration of payments, i.e., when they start and when they end, or over a specified number of months. The treatment refers to the Exhibit G, Plan Spreadsheet, but that does not show the duration of the plan payments since the financial and payment information is lumped into yearly totals for the last three years of the plan.

The language of Section II.D.6, Creditors Enjoined During Plan (page 20 of the Plan and pages 34-35 of the disclosure statement) is problematic. The reference to "interested parties" is vague and ambiguous, and should refer to "creditors, interest holders and other parties in interest" as in the court's form Chapter 11 plan, that is, creditors who are mainly affected by this provision

**United States Bankruptcy Court
Central District of California
Los Angeles
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Hearing Room 1675

11:00 AM

CONT... David Lee

Chapter 11

should be specifically identified. This language should be revised.

The reference to Section 362(a) of the Bankruptcy Code should be more specific as in the court's form Chapter 11 plan that creditors, interest holders and other parties in interest may not take action to enforce preconfirmation obligations, or any obligations under the plan, so long as the debtor is not in material default of the plan. Creditors and other parties should not have to look up Section 362(a) to see what they can do. If debtor wants to refer to Section 362(a) as well, that is okay since the stay is in effect until the estate property reverts in the reorganized debtor upon entry of the final decree pursuant to the plan, but the plan should specify what are the restrained actions, and once the final decree is entered, the stay is no longer in effect as the discharge injunction would apply.

The language restraining creditors from "taking any actions . . . which may impede or interfere with the implementation or administration of this Plan" is vague and ambiguous as what a creditor may believe is vindicating its rights, debtor may consider to be impeding or interfering with the plan, and thus very debatable. This provision should be revised. The plan language should state that creditors cannot take action to enforce their preconfirmation obligations or plan obligations unless debtor is in material default as in the court's form Chapter 11 plan.

There is no authority for the provision that if creditors seek relief from this provision and relief is denied, debtor is entitled to his legal fees and costs which may not be set off against any claim. Such provision is inconsistent with the American Rule, and if there is a statute or rule that provides for fees and costs, it would be to a prevailing party. This provision should be stricken.

From the court's form Chapter 11 plan, F3018-1.CH11.PLAN:

D. Actions Restrained. Creditors, interest holders and other parties in interest may not take any action to enforce preconfirmation obligations, or any obligations due under this Plan, so long as Debtor is not in material default under this Plan (as defined below). If Debtor is in material default under this Plan, then any party in interest may: (1) take any action permitted under nonbankruptcy law either (a) to enforce the terms of this Plan as a contract of Debtor or (b) to pursue nonbankruptcy remedies including collection of the

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Wednesday, September 23, 2020

Hearing Room 1675

11:00 AM

CONT...

David Lee

Chapter 11

entire nondischarged dollar amount of any claim held by such person, or (2) if this case is still pending, move to dismiss this case or to convert this case to one under chapter 7, or seek other relief from the bankruptcy court. If this case is converted to chapter 7 at any time, then property will revert in the chapter 7 estate, and the automatic stay will be reimposed upon the reverted property only to the extent that relief from stay was not previously granted by the court during this case.

E. Material Default Defined. If Debtor (1) fails to make any payment required under this Plan, or (2) fails to perform any other obligation required under this Plan for more than 14 days after the time specified in this Plan, or (3) performs any act that is inconsistent with the terms of this Plan, then any affected creditor, interest holder, or other party in interest may file and serve upon Debtor and Debtor's attorney (if any) a written notice of default at their most recent address(es) listed in this case. Debtor is in material default under this Plan if Debtor fails within 21 days after service of that notice of default, plus an additional 3 days if served by mail, either to cure the default or obtain from the court an extension of time to cure the default or a determination that no material default occurred. Notwithstanding the other provisions of this paragraph, to the extent that Debtor has assumed an executory contract or unexpired lease, or to the extent that a creditor retains a lien under this Plan that was a consensual lien, the default provisions of that contract, lease, or lien documentation govern what constitutes a default for purposes of the rights and remedies thereunder, all subject to applicable nonbankruptcy law and any exceptions set forth in this Plan.

Otherwise, no tentative ruling on the merits. It would be helpful if the amended disclosure statement is approved, the parties should advise whether this will be a contested plan confirmation proceeding, such as regarding disputes over plan treatment of specific claims, plan feasibility, cramdown interest rates or property valuation. Appearances are required on 9/23/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 23, 2020

Hearing Room 1675

11:00 AM

CONT...

David Lee

Chapter 11

the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 9/4/20. The court notes that debtor filed his amended disclosure statement and plan on 9/3/20. At the last hearing on the original disclosure statement, counsel for debtor stated that the disclosure statement would be amended to address the concerns of objecting creditors and to obtain their consent. The responding parties should indicate whether the amended disclosure statement may proceed with consent, or whether additional time is needed to respond to the amended disclosure statement or whether they object. Otherwise, no tentative ruling on the merits at this time. Appearances are required on 9/9/20, but counsel and self-represented parties must appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 23, 2020

Hearing Room 1675

11:00 AM

CONT...

David Lee

Chapter 11

Prior tentative ruling. Since debtor acknowledges in his reply to the objections of creditors that he will need to make revisions to the disclosure statement to address the objections to these documents, the court will defer a ruling on the disclosure statement until these revisions are made. Debtor will need to resolve the disputes regarding the amount of the secured claims of the objecting creditors either informally as indicated by debtor with respect to Green Lawn or by claim objections under FRBP 3007 with respect to both creditors if he cannot reach an agreement. Contrary to debtor's statements in the disclosure statement, disputes over the amounts of the secured claims are not going to be resolved in hearings on the disclosure statement or plan, but through consensual resolution, a claim objection under FRBP 3007, a motion to value secured claim under FRBP 3012 or an adversary proceeding to determine validity and extent of lien under FRBP 7001. In re Dynamic Brokers, Inc., 293 B.R. 489 (9th Cir. BAP 2003); see also, FRBP 3012(b) (determination of amount of a secured claim may be made by motion, a claim objection or Chapter 12 or 13 plan, which rule does not include a Chapter 11 plan). As indicated in the reply, debtor will agree to revise the disclosure statement and plan to address some of the concerns raised by the objecting creditors, but not as to others. The court agrees with debtor in part that certain objections raised by the creditors are issues to be determined at plan confirmation, such as cramdown interest rate, feasibility, good faith and absolute priority test satisfaction. Appearances are required on 8/5/20, but counsel and self-represented parties must appear by telephone.

Party Information

Debtor(s):

David Lee

Represented By
David A Tilem

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 23, 2020

Hearing Room 1675

11:00 AM

2:19-10119 David Lee

Chapter 11

#1.20 Cont'd status conference re: Management of chapter 11 case
fr. 7/22/20, 8/19/20, 9/9/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/21/20. No tentative ruling on the merits. Appearances are required on 9/23/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 23, 2020

Hearing Room 1675

11:00 AM

CONT... David Lee

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

David Lee

Represented By
Renee E Sanders

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 23, 2020

Hearing Room 1675

11:00 AM

2:19-10297 Roger Timothy Ruiz

Chapter 11

- #1.30** Cont'd hearing re: Final application for payment of compensation and expenses to bankruptcy general counsel for debtor in possession [11 U.S.C. §§330, F.R.B.P. §2016, LBR §2016-1] for the period of January 11, 2019 through August 1, 2020 fr. 9/16/20

Docket 117

Tentative Ruling:

No updated tentative ruling as of 9/21/20. The hearing was continued to 9/23/20 in part because debtor may appear to be heard, even though he had not filed a written response to the application. Appearances are required on 9/23/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 23, 2020

Hearing Room 1675

11:00 AM

CONT... Roger Timothy Ruiz

Chapter 11

scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 9/15/20. Off calendar. Continued to 9/23/20 at 11:00 a.m. based on applicant's ex parte request due to a family emergency. No appearances are required on 9/16/20. Applicant to give notice to debtor and interested parties.

Prior tentative ruling. Approve the final fee application of general bankruptcy counsel for debtor in possession for the reasons stated in the fee application and for lack of timely written objection.

Party Information

Debtor(s):

Roger Timothy Ruiz

Represented By
Marcus G Tiggs

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 23, 2020

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: Motion of plaintiff/creditor James Lee Clark for an order compelling discovery and sanctions against defendant/debtor Rita Ellison-Farris fr. 4/15/20, 5/20/20, 7/15/20

Docket 351

Tentative Ruling:

Updated tentative ruling as of 9/21/20. See tentative ruling for item number 9.

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, September 23, 2020

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: Plaintiff/creditor, James Lee Clark's notice of motion to compel further discovery responses to defendant/debtor Rita Gail Ellison-Farris fr. 4/15/20, 5/20/20, 7/15/20

Docket 377

Tentative Ruling:

Updated tentative ruling as of 9/21/20. See tentative ruling for item number 9.

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, September 23, 2020

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 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 fr. 4/15/20, 5/20/20, 7/15/20

Docket 397

Tentative Ruling:

Updated tentative ruling as of 9/21/20. See tentative ruling for item number 9.

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, September 23, 2020

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 23, 2020

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

#4.00 Cont'd hearing re: Motion to abstain
fr. 4/15/20, 5/20/20, 7/15/20

Docket 414

Tentative Ruling:

Updated tentative ruling as of 9/21/20. See tentative ruling for item number 9.

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, September 23, 2020

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

#5.00 Cont'd 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 fr. 4/15/20, 5/20/20, 7/15/20

Docket 412

Tentative Ruling:

Updated tentative ruling as of 9/21/20. See tentative ruling for item number 9.

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, September 23, 2020

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

#6.00 Cont'd hearing re: Motion to amend adversary complaint and to add Jennifer, quiet title,
cancel the deed and note
fr. 4/15/20, 5/20/20, 7/15/20

Docket 399

Tentative Ruling:

Updated tentative ruling as of 9/21/20. See tentative ruling for item number 9.

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, September 23, 2020

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

#7.00 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. 4/15/20, 5/20/20, 7/15/20

Docket 362

Tentative Ruling:

Updated tentative ruling as of 9/21/20. See tentative ruling for item number 9.

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, September 23, 2020

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 23, 2020

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

#8.00 Cont'd hearing re: Plaintiff/creditor, James Lee /Clark's notice of motion to compel inspection and to produce documents and response from and to defendant/debtor Rita Gail Ellison-Farris; request for terminating sanctions fr. 4/15/20, 5/20/20, 7/15/20

Docket 390

Tentative Ruling:

Updated tentative ruling as of 9/21/20. See tentative ruling for item number 9.

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, September 23, 2020

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 23, 2020

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

- #9.00** Pretrial 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. 4/15/20, 5/20/20, 7/15/20

Docket 1

Tentative Ruling:

No tentative ruling on the merits. Since the parties attended mediation, which did not result in settlement, the court will discuss setting a pretrial conference and a deadline for filing a joint pretrial stipulation. The court will also discuss how the trial will be conducted because the court is not conducting in person hearings at this time. The court may conduct the trial on Zoom depending on the parties' technical capabilities. Appearances are required on 9/23/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 23, 2020

Hearing Room 1675

1:30 PM

CONT...

Rita Gail Farris-Ellison

Chapter 7

parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, September 23, 2020

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, September 23, 2020

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

- #9.10** Cont'd order to show cause hearing why defendant Rita Gail /Farris-Ellison and defendant's attorney James Bryant should not be sanctioned for failure to comply with the court's mediation orders
fr. 9/10/20

Docket 454

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 9/23/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 23, 2020

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, September 23, 2020

Hearing Room 1675

1:30 PM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:14-01088 Clark v. Farris-Ellison

#10.00 Pretrial 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. 4/15/20, 5/20/20, 7/15/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/21/20. See tentative ruling for item number 9.

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**

Wednesday, September 23, 2020

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 order to show cause hearing why defendant Rita Gail /Farris-Ellison and defendant's attorney James Bryant should not be sanctioned for failure to comply with the court's mediation orders
fr. 9/10/20

Docket 71

Tentative Ruling:

Updated tentative ruling as of 9/21/20. See tentative ruling for item number 9.1.

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

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, September 24, 2020

Hearing Room 1675

1:00 PM

2:18-18159 Martha Alicia Fernandez

Chapter 7

Adv#: 2:18-01327 Walden et al v. Fernandez

#1.00 CONT'D TRIAL BY ZOOM RE: Complaint for non-dischargeability of debtor under § 523(a)(2)(A)
fr. 6/30/20, 9/17/20, 9/18/20

Docket 1

Tentative Ruling:

The Court hereby provides notice to the parties to this adversary proceeding that the Court will hold the third day of trial on Plaintiffs' Complaint for Non-Dischargeability of Debt under 11 U.S.C. § 523(a)(2)(A) on **September 24, 2020 at 1:00 p.m.**, which will be conducted via Zoom for Government. Participants will be connected to the courtroom using Zoom for Government but will not be physically present in the courtroom. Participants must connect to the Zoom for Government courtroom no later than 12:50 p.m. and check in with the law clerk/DECRO. If a trial participant is having problems connecting to the trial, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Trial Day 3: September 24, 2020 at 1:00 p.m.

- a. Video. Utilize the following link:
<https://cacb.zoomgov.com/j/1601628321>
and insert **Meeting ID:** 160 162 8321 and **Password:** 269612
- b. Audio only. Audio-only participants must call into Zoom for

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, September 24, 2020

Hearing Room 1675

1:00 PM

CONT...

Martha Alicia Fernandez

Chapter 7

Government by calling:

+1 669 254 5252, or +1 646 828 7666;

and insert **Meeting ID:** 160 162 8321 and **Password:** 269612

Supplemental tentative ruling as of 9/17/20: In closing argument, counsel should advise the court as to which issues of fact and of law in the amended joint pretrial stipulation that you are still requesting the court to decide and which ones that you are no longer asking the court to decide. The parties should also address the applicability of California Business and Professions Code Section 7031(b) to the element of damages on plaintiffs' fraud claim under California law and 11 U.S.C. Section 523(a)(2)(A). See also, MW Erectors, Inc. v. Niederhauser Ornamental & Metal Works Co., Inc., 36 Cal.4th 412 (2005).

Updated tentative ruling as of 9/17/20:

Day 2 of the trial of the adversary proceeding will resume at 9:30 a.m. rather than 10:00 a.m. based on the agreement of the parties and approval of the court on 9/17/20.

Participants must connect to the Zoom for Government courtroom no later than 9:20 a.m. and check in with the law clerk/DECRO.

a. Video. Utilize the following link: <https://cacb.zoomgov.com/j/1605217334>

and insert Meeting ID: 160 521 7334

and Password: 388394.

b. Audio only. Audio-only participants must call into Zoom for Government by calling:

+1 669 254 5252, or +1 646 828 7666;

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, September 24, 2020

Hearing Room 1675

1:00 PM

CONT... Martha Alicia Fernandez

Chapter 7

and insert Meeting ID: 160 521 7334

and Password: 388394.

If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Martha Alicia Fernandez

Represented By
Gary S Saunders

Defendant(s):

Martha Alicia Fernandez

Pro Se

Plaintiff(s):

Yvette Walden

Pro Se

Guadalupe L Cruz

Pro Se

Jose L Cruz

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 29, 2020

Hearing Room 1675

10:30 AM

2:19-11150 Precision AgriTech Inc.

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(Eric Ellestad and Matthew Vail jointly with Alexandria Equities No. 7, LLC VS Debtor)

Docket 71

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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. No appearances are required on 9/29/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Precision AgriTech Inc.

Represented By
Ashley M McDow

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, September 29, 2020

Hearing Room 1675

10:30 AM

2:20-15347 Wanda Yvette Randle

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Exeter Finance, LLC VS Debtor)

Docket 11

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 9/29/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Wanda Yvette Randle

Represented By
Brian J Soo-Hoo

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 29, 2020

Hearing Room 1675

10:30 AM

2:20-16081 Marilyn Faith Golightly

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(Santander Consumer USA Inc. VS Debtor)

Docket 9

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 9/29/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Marilynn Faith Golightly

Represented By
Peter M Lively

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 29, 2020

Hearing Room 1675

10:30 AM

2:20-17220 Blandina Dominguez

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(Santander Consumer USA Inc. VS Debtor)

Docket 10

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 9/29/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Blandina Dominguez	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, September 29, 2020

Hearing Room 1675

11:00 AM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#5.00 Cont'd hearing re: Motion to pursuant to Local Bankruptcy Rule 2090-1(a)(1) to withdraw as counsel fr. 8/4/20

Docket 694

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 9/29/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 29, 2020

Hearing Room 1675

11:00 AM

CONT... Swing House Rehearsal and Recording, Inc. and Philip Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, September 29, 2020

Hearing Room 1675

1:30 PM

2:17-21018 Prototype Engineering & Manufacturing, Inc.

Chapter 7

Adv#: 2:19-01332 Avery v. Leya Technologies, LLC et al

- #6.00** Cont'd status conference re: Plaintiff's complaint for: (1) avoidance of actual fraudulent transfers; (2) avoidance of constructive fraudulent transfers; (3) recovery of avoided transfers; (4) breach of fiduciary duty; (5) recovery of prohibited distributions; (6) unjust enrichment; (7) aiding and abetting breach of fiduciary duty; and (8) substantive consolidation of certain defendants with the debtor's estate
fr. 4/14/20, 4/30/20, 7/21/20

Docket 1

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 9/29/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 29, 2020

Hearing Room 1675

1:30 PM

CONT... **Prototype Engineering & Manufacturing, Inc.** Chapter 7

call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Prototype Engineering &	Represented By Carol Chow
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Defendant(s):

Leya Technologies, LLC	Pro Se
Bahram Bordbar	Pro Se
Malahat Bordbar	Pro Se
Sara Bordbar	Pro Se

Plaintiff(s):

Wesley H Avery	Represented By Carmela Pagay
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Trustee(s):

Wesley H Avery (TR)	Represented By Timothy J Yoo Carmela Pagay Lindsey L Smith Irving M Gross
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 29, 2020

Hearing Room 1675

1:30 PM

2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01474 Avery v. Voong

#7.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential, fraudulent, unauthorized postpetition transfers; and disallowance of claim fr. 4/28/20, 6/9/20, 7/21/20

Docket 1

***** VACATED *** REASON: Cont'd from 9/29/20 to 12/15/20 at 1:30 p.m.
per order entered on 9/4/20-pp.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 12/15/20 at 1:30 p.m. No appearances are required on 9/29/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Kevin Voong

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 29, 2020

Hearing Room 1675

1:30 PM

2:18-11475 Catherine Trinh

Chapter 11

Adv#: 2:18-01209 Voong v. Trinh

#8.00 Cont'd status conference re: Adversary complaint for declaratory relief
fr. 3/24/20, 4/28/20, 6/30/20

Docket 1

***** VACATED *** REASON: Cont'd from 9/29/20 to 12/15/20 at 1:30 p.m.
per stip & order entered on 9/25/20-mb.**

Tentative Ruling:

Revised and updated tentative ruling as of 9/25/20. Off calendar. Continued
by stipulation and order to 12/15/20 at 1:30 p.m. No appearances are
required on 9/29/20.

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, September 29, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01435 Goodrich v. Amazon Loan Services

#9.00 Cont'd status conference re: Complaint for: 1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; 2) Recovery of property pursuant to 11 U.S.C. § 550; 3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; 4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and 5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 6/02/20, 7/21/20, 9/1/20

Docket 1

***** VACATED *** REASON: Cont'd from 9/29/20 to 10/27/20 at 1:30 p.m. per stip & order entered on 7/22/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 10/27/20 at 1:30 p.m. No appearances are required on 9/29/20.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Amazon Loan Services

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 29, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01258 Goodrich v. Yeftadonay

#10.00 Cont'd hearing re: Motion for entry of default judgement against defendant Jan Yaftadonay Pursuant to Federal Rule of Civil Procedure 55 as Incorporated by Federal Rule of Bankruptcy Procedure 7055 and Local bankruptcy Rule 7055-1 fr. 8/4/20, 8/18/20

Docket 15

Tentative Ruling:

Updated and corrected tentative ruling as of 9/25/20. Off calendar. The court has reviewed plaintiff's unilateral status report filed on 9/24/20 requesting a 60 day continuance to obtain supplemental evidence to support the pending motion for default judgment to address the court's concerns raised in prior tentative rulings. The court on its own motion continues the hearing on the motion for default judgment and the status conference to 12/1/20 at 1:30 p.m. No appearances are required on 9/29/20.

Prior tentative ruling as of 8/14/20. No tentative ruling on the merits. The court has reviewed the trustee's declaration, but it is not apparent to the court that he has personal knowledge of the insider relationship of defendant to debtor as required by Federal Rule of Evidence 602. Perhaps the declaration can be amended to lay out the basis of the trustee's personal knowledge of defendant's insider status because the statement in the declaration is too conclusory, lacking in foundation. Appearances are required on 8/18/20, but counsel and self-represented parties must appear by telephone.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour
Keith F Rouse

Defendant(s):

Jan Yeftadonay

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 29, 2020

Hearing Room 1675

1:30 PM

CONT... SOCALDEAL INC

Chapter 7

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 29, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01258 Goodrich v. Yeftadonay

#11.00 Cont'd status conference re: Complaint for: (1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; (2) Recovery of property pursuant to 11 U.S.C. § 550; (3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; (4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and (5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 6/30/20, 8/4/20, 8/18/20

Docket 1

Tentative Ruling:

See tentative ruling on matter number 10.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Jan Yeftadonay

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 29, 2020

Hearing Room 1675

1:30 PM

2:18-12552 Zero Energy Contracting, Inc

Chapter 7

Adv#: 2:20-01053 Mastan, Chapter 7 Trustee v. JPMORGAN CHASE BANK, N.A.

#12.00 Cont'd status conference re: Complaint for (1) Avoidance of preferential transfers [11 U.S.C. §547]; (2) Avoidane of post-petition transfers [11 U.S.C. §549]; (3) Disallowance of claims [11 U.S.C. §502]; (4) Recovery of avoided transfers [11 U.S.C. §550]; and (5) Preserving Transfers [11 U.S.C. § 551] fr. 5/12/20, 7/21/20

Docket 1

***** VACATED *** REASON: Cont'd from 9/29/20 to 1/5/21 at 1:30 p.m. per stip & order entered on 9/22/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 1/5/21 at 1:30 p.m. No appearances are required on 9/29/20.

Party Information

Debtor(s):

Zero Energy Contracting, Inc

Represented By
Devin Sreecharana
Andrew Harnisch
Grant Cartwright

Defendant(s):

JPMORGAN CHASE BANK, N.A.

Pro Se

Plaintiff(s):

Peter J. Mastan, Chapter 7 Trustee

Represented By
Meghann A Triplett

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, September 29, 2020

Hearing Room 1675

1:30 PM

2:18-12552 Zero Energy Contracting, Inc

Chapter 7

Adv#: 2:20-01052 Mastan, Chapter 7 Trustee v. Esc Pros, LLC

#13.00 Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers [11 U.S.C. § 547]; (2) Disallowance of Claims [11 U.S.C. § 502] (3) Recovery of Avoided Transfers [11 U.S.C. § 550]; and (4) Preserving Transfers [11 U.S.C. § 551] fr. 5/12/20, 7/21/20

Docket 1

***** VACATED *** REASON: Default Judgment entered on 9/14/20-mb.**

Tentative Ruling:

Off calendar. Default judgment entered on 9/14/20. No appearances are required on 9/29/20.

Party Information

Debtor(s):

Zero Energy Contracting, Inc

Represented By
Devin Sreecharana
Andrew Harnisch
Grant Cartwright

Defendant(s):

Esc Pros, LLC

Pro Se

Plaintiff(s):

Peter J. Mastan, Chapter 7 Trustee

Represented By
Meghann A Triplett

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, September 29, 2020

Hearing Room 1675

1:30 PM

2:18-12552 Zero Energy Contracting, Inc

Chapter 7

Adv#: 2:20-01057 Mastan, Chapter 7 Trustee v. Fresh Air Environmental Services, Inc.

#14.00 Cont'd status conference re: Complaint for (1) Avoidance of preferential transfers [11 U.S.C. §547]; (2) Disallowance of claims [11 U.S.C. §502]; (3) Recovery of avoided transfers [11 U.S.C. §550]; and (4) Preserving transfers [11 U.S.C. §551] fr. 5/12/20, 7/21/20

Docket 1

***** VACATED *** REASON: Order dismissing adversary proceeding entered on 9/1/20-mb.**

Tentative Ruling:

Off calendar. Adversary proceeding voluntarily dismissed by notice and order entered on 9/1/20. No appearances are required on 9/29/20.

Party Information

Debtor(s):

Zero Energy Contracting, Inc

Represented By
Devin Sreecharana
Andrew Harnisch
Grant Cartwright

Defendant(s):

Fresh Air Environmental Services,

Pro Se

Plaintiff(s):

Peter J. Mastan, Chapter 7 Trustee

Represented By
Meghann A Triplett

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, September 29, 2020

Hearing Room 1675

1:30 PM

2:18-12552 Zero Energy Contracting, Inc

Chapter 7

Adv#: 2:20-01058 Mastan, Chapter 7 Trustee v. Christianson Goens PLC et al

#15.00 Cont'd status conference re: Complaint for (1) Avoidance of preferential transfers [11 U.S.C. §547]; (2) Disallowance of claims [11 U.S.C. §502]; (3) Recovery of avoided transfers [11 U.S.C. §550]; and (4) Preserving transfers [11 U.S.C. §551] fr. 5/12/20, 7/21/20

Docket 1

***** VACATED *** REASON: Dismissed per order entered on 9/8/20-mb.**

Tentative Ruling:

Off calendar. Adversary proceeding voluntarily dismissed by notice and order entered on 9/8/20. No appearances are required on 9/29/20.

Party Information

Debtor(s):

Zero Energy Contracting, Inc

Represented By
Devin Sreecharana
Andrew Harnisch
Grant Cartwright

Defendant(s):

Christianson Goens PLC

Pro Se

Tiffany M Christianson

Pro Se

Plaintiff(s):

Peter J. Mastan, Chapter 7 Trustee

Represented By
Meghann A Triplett

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, September 29, 2020

Hearing Room 1675

1:30 PM

2:18-17189 Seven-Bros Enterprises, Inc.

Chapter 7

#16.00 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. 2/18/20, 4/28/20, 6/30/20

Docket 36

***** VACATED *** REASON: Cont'd from 9/29/20 to 12/15/20 at 1:30 p.m.
per stip & order entered on 9/25/20-mb.**

Tentative Ruling:

Revised and updated tentative ruling as of 9/25/20. Off calendar. Continued by stipulation and order to 12/15/20 at 1:30 p.m. No appearances are required on 9/29/20.

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, September 29, 2020

Hearing Room 1675

1:30 PM

2:18-17189 Seven-Bros Enterprises, Inc.

Chapter 7

#17.00 Cont'd hearing re: Motion of Salvato Law Offices to withdraw as counsel for debtor fr. 2/18/20, 4/28/20, 6/30/20

Docket 82

***** VACATED *** REASON: Cont'd from 9/29/20 to 12/15/20 at 1:30 p.m.
per stip & order entered on 9/25/20-mb.**

Tentative Ruling:

Revised and updated tentative ruling as of 9/25/20. Off calendar. Continued by stipulation and order to 12/15/20 at 1:30 p.m. No appearances are required on 9/29/20.

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, September 29, 2020

Hearing Room 1675

1:30 PM

2:19-23924 **Raymond John Khamo**

Chapter 7

Adv#: 2:20-01101 MENCHACA v. Vargas

#18.00 Cont'd status conference re: Complaint for (1) sale of property owned in part by non-debtor [11 U.S.C. § 363(h)]; and (2) turnover of estate's property [11 U.S.C. §542] fr. 6/16/20, 8/4/20

Docket 1

*** VACATED *** REASON: Order dismissing adversary proceeding entered on 9/22/20-mb.

Tentative Ruling:

Off calendar. Adversary proceeding voluntarily dismissed by notice and order entered on 9/22/20. No appearances are required on 9/29/20.

Party Information

Debtor(s):

Raymond John Khamo

Represented By
Sam Benevento

Defendant(s):

Ann Marie Vargas

Pro Se

Plaintiff(s):

JOHN J MENCHACA

Represented By
Toan B Chung

Trustee(s):

John J Menchaca (TR)

Represented By
Toan B Chung

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 29, 2020

Hearing Room 1675

2:00 PM

2:18-13759 Charles Peters

Chapter 11

#18.10 Cont'd hearing re: Motion to invalidate portion of lien of County of Riverside to secure
claim of City of Beaumont FRBP 7001(2); FRBP 3012(c)
fr. 8/18/20, 9/2/20, 9/15/20

Docket 341

Tentative Ruling:

Revised and updated tentative ruling as of 9/28/20. Off calendar. The continued hearing is moot because the motion is resolved by stipulation and order. No appearances are required on 9/29/20.

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**

Tuesday, September 29, 2020

Hearing Room 1675

2:00 PM

2:18-13759 Charles Peters

Chapter 11

#18.20 Cont'd hearing re: Debtor's motion to vacate order for relief from stay
fr. 8/18/20, 9/2/20, 9/15/20

Docket 342

Tentative Ruling:

Revised and updated tentative ruling as of 9/28/20. Off calendar. The continued hearing is moot because the motion is resolved by stipulation and order. No appearances are required on 9/29/20.

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**

Tuesday, September 29, 2020

Hearing Room 1675

2:30 PM

2:18-10673 Beverly S Dudley

Chapter 7

#19.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Sam S Leslie, Chapter 7 Trustee]

Docket 74

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the trustee's final report and fee application, the court determines that oral argument on the final report and fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final report and fee application, rules on the final report and fee application on the papers, and approves the final report and fee application for the reasons stated in the final report and fee application and for lack of timely written opposition. No appearances are required on 9/29/20. Trustee to lodge a proposed order within 7 days of hearing.

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, September 29, 2020

Hearing Room 1675

2:30 PM

2:18-10673 Beverly S Dudley

Chapter 7

#20.00 Hearing re: Application for fees and expenses
[Fredman Lieberman Pearl LLP, Attorney for Chapter 7 Trustee]

Docket 61

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the final fee application of general bankruptcy counsel for the trustee, the court determines that oral argument on the final fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final fee application, rules on the final fee application on the papers, and approves the final fee application for the reasons stated in the final fee application and for lack of timely written opposition. No appearances are required on 9/29/20. Applicant or trustee to lodge a proposed order within 7 days of hearing.

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, September 29, 2020

Hearing Room 1675

2:30 PM

2:18-10673 Beverly S Dudley

Chapter 7

#21.00 Hearing re: Application for fees and expenses
[LEA Accountancy, LLP, Accountant for Chapter 7 Trustee]

Docket 62

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the final fee application of accountant for the trustee, the court determines that oral argument on the final fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final fee application, rules on the final fee application on the papers, and approves the final fee application for the reasons stated in the final fee application and for lack of timely written opposition. No appearances are required on 9/29/20. Applicant or trustee to lodge a proposed order within 7 days of hearing.

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, September 29, 2020

Hearing Room 1675

2:30 PM

2:19-21714 Bernard G Mariano

Chapter 7

#22.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Heide Kurtz, Chapter 7 Trustee]

Docket 29

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the trustee's final report and fee application, the court determines that oral argument on the final report and fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final report and fee application, rules on the final report and fee application on the papers, and approves the final report and fee application for the reasons stated in the final report and fee application and for lack of timely written opposition. No appearances are required on 9/29/20. Trustee to lodge a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Bernard G Mariano

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, September 29, 2020

Hearing Room 1675

2:30 PM

2:20-12247 Julie Songun Jang and Won Jae Jang

Chapter 7

#23.00 Cont'd hearing re: United States Trustee's 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 debtors' discharge fr. 9/1/20

Docket 30

***** VACATED *** REASON: Case dismissed by stip & order entered on 9/25/20-mb.**

Tentative Ruling:

Revised and updated tentative ruling as of 9/25/20. Off calendar. The motion was resolved by the stipulation of the United States Trustee and debtors for voluntary dismissal of the bankruptcy case and order thereon. No appearances are required on 9/29/20.

Party Information

Debtor(s):

Julie Songun Jang

Represented By
Jaenam J Coe

Joint Debtor(s):

Won Jae Jang

Represented By
Jaenam J Coe

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 29, 2020

Hearing Room 1675

2:30 PM

2:20-14932 Ousmane Conde

Chapter 7

#24.00 Hearing re: Motion of the United States Trustee for extension of deadline date for filing a complaint objecting to debtor's discharge under 11 U.S.C. Section 727 and/or motion to dismiss under Section 707(b)

Docket 11

***** VACATED *** REASON: Hearing vacated per order entered on 9/4/20
-pp.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 10/6/20 at 2:30 p.m. No appearances are required on 9/29/20.

Party Information

Debtor(s):

Ousmane Conde

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, September 29, 2020

Hearing Room 1675

2:30 PM

2:20-15861 Nallely P. Guerrero Serafin

Chapter 7

#25.00 Hearing re: Motion for order compelling chapter 7 trustee to abandon bare legal title to property

Docket 12

Tentative Ruling:

Revised and updated tentative ruling as of 9/28/20. The court is inclined to grant debtor's motion to compel abandonment for the reasons stated in the motion. While the trustee filed a response and request for hearing on the motion on 8/11/20, he filed a report of no distribution on 8/26/20 stating that the estate has been fully administered and asking to be discharged of further duties as trustee in this case. In asking for a hearing on the motion in his initial response to the motion, the trustee requested the opportunity to file a more extensive response to the motion at least 14 days before the hearing date, but he did not file such a response. Thus, the trustee filed no evidence in opposition to the evidence presented by the debtor in the motion. The uncontroverted evidence in the motion supports the claim that debtor has only bare legal title in the joint tenancy property co-owned with her brother and demonstrates under 11 U.S.C. 554(b) that the property is burdensome to the estate or is of inconsequential value and benefit to the estate since the trustee has filed a no distribution report, and thus, does not intend to administer the property as an asset of the estate. However, the trustee has sent perhaps mixed signals since after the no distribution report, he filed on 9/9/20 an application for authorization to employ counsel to investigate the estate's interest in the property. Appearances are required on 9/29/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 29, 2020

Hearing Room 1675

2:30 PM

CONT... Nallely P. Guerrero Serafin

Chapter 7

COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Nallely P. Guerrero Serafin

Represented By
Giovanni Orantes

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 29, 2020

Hearing Room 1675

2:30 PM

2:19-10246 Dean Henrik Okland

Chapter 7

Adv#: 2:19-01102 Sunderland et al v. Okland

#26.00 Hearing re: Motion to compel initial disclosures and answers to interrogatories and requests for production of documents

Docket 30

***** VACATED *** REASON: Hearing vacated per order shortening time entered on 9/15/20-mb.**

Tentative Ruling:

Off calendar. Hearing on motion noticed for 9/29/20 at 2:30 p.m. vacated by order entered on 9/15/20, and renoticed by movant for 10/6/20 at 2:30 p.m. No appearances are required on 9/29/20.

Party Information

Debtor(s):

Dean Henrik Okland

Pro Se

Defendant(s):

Dean Henrik Okland

Represented By
Gary R Wallace

Plaintiff(s):

HOWARD M EHRENBERG

Pro Se

Jennifer Sunderland

Represented By
Kimberly Wright

James Farrow

Represented By
Kimberly Wright

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Jeffrey S Shinbrot

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 30, 2020

Hearing Room 1675

11:00 AM

2:11-14196 Gary Wayne Barker

Chapter 11

#1.00 Cont'd status conference re: Management of chapter 11 case
fr. 1/29/20, 6/3/20, 7/1/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/25/20. No tentative ruling on the merits. Appearances are required on 9/30/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 30, 2020

Hearing Room 1675

11:00 AM

CONT... Gary Wayne Barker

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling. No tentative ruling on the merits. Appearances are required on 7/1/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 5/29/20. Debtor should address the status of his intent to file a lien avoidance motion and a motion for final decree. Appearances are required on 6/3/20, but counsel must 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, September 30, 2020

Hearing Room 1675

11:00 AM

2:16-26583 Dalton Evonne Grant

Chapter 11

#2.00 Cont'd status conference re: Post confirmation of plan
fr. 2/19/20, 6/3/20, 6/24/20

Docket 68

***** VACATED *** REASON: Final decree order entered on 6/25/20; Case
closed on 8/4/20-mb.**

Tentative Ruling:

Off calendar. Final decree entered on 6/25/20. No appearances are
necessary.

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, September 30, 2020

Hearing Room 1675

11:00 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#3.00 Hearing re: Motion for order authorizing post-petition financing pursuant to Section 364 of the Bankruptcy Code

Docket 209

Tentative Ruling:

No tentative ruling as of 9/25/20. Appearances are required on 9/30/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 30, 2020

Hearing Room 1675

11:00 AM

CONT... People Who Care Youth Center, Inc.

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, September 30, 2020

Hearing Room 1675

11:00 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#4.00 Cont'd status conference re: Post confirmation of plan
fr. 5/27/20, 6/24/20, 7/22/20

Docket 119

Tentative Ruling:

Updated tentative ruling as of 9/25/20. No tentative ruling on the merits. Appearances are required on 9/30/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 30, 2020

Hearing Room 1675

11:00 AM

CONT... People Who Care Youth Center, Inc. Chapter 11

demand for telephone court appearances, there may be Prior tentative ruling as of 7/20/20. No tentative ruling on the merits. Appearances are required on 7/22/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 6/22/20. No tentative ruling on the merits. Appearances are required on 6/24/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 5/22/20. No updated tentative ruling in light of the settlement between debtor and creditor Acon regarding debtor's objection to Acon's secured claim, which will require a modification of the proposed reorganization plan either by a motion to approve compromise under FRBP 9019 or a plan supplement. Appearances are required on 5/27/20 by telephone in accordance with the procedures set forth in the tentative ruling of 5/11/20 below.

Updated and supplemental tentative ruling as of 5/12/20. The following updates and supplements the tentative ruling posted on 5/11/20: In light of debtor's second statement regarding exit financing in connection with its Chapter 11 plan, filed on 5/12/20, the hearing on plan confirmation should be continued for a short period of time in order for debtor to negotiate with the City of Los Angeles regarding the lien subordination cap in an amount that would allow plan confirmation and the exit financing with the replacement lender to go forward. The court will discuss with debtor and the parties the time needed for this purpose.

Updated tentative ruling as of 5/11/20. No tentative ruling on the merits. Appearances are required on 5/13/20, but counsel must appear by telephone.

Prior tentative ruling as of 4/13/20. No tentative ruling on the merits. Plan confirmation appears to be a contested matter under FRBP 9014 since there is a dispute over feasibility of the plan based on creditor Acon's objection and its related motion to dismiss as well as debtor's objection to Acon's amended claim. It seems that the court should set a schedule of pretrial proceedings for litigation of these related contested matters.

Appearances are required on 4/15/20, but counsel must appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 30, 2020

Hearing Room 1675

11:00 AM

CONT... People Who Care Youth Center, Inc.

Chapter 11

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, September 30, 2020

Hearing Room 1675

11:30 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01466 Avery v. Gia Phu Fashion Garment Co.

#5.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of fraudulent and unauthorized postpetition transfers
fr. 3/24/20, 5/19/20, 8/18/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/25/20. The court has reviewed plaintiff's unilateral status report filed on 9/23/20 stating that the parties have reached a tentative settlement and requesting a 60-90 day continuance of the status conference to finalize their agreement. Since the status report is unilateral and there is no stipulation to continue the status conference, appearances are required on 9/30/20 to discuss scheduling of further proceedings, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 30, 2020

Hearing Room 1675

11:30 AM

CONT... Kody Branch of California, Inc.

Chapter 7

the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 8/14/20. Since settlement of this and related actions was reached at the mediation before Judge Bluebond on 1/30/20, the status conference has been continued twice in order to implement the settlement. Even though economic activity has been lessened due to the pandemic, counsel should explain why the necessary claim releases for this and the related actions cannot be obtained since the pandemic conditions in Vietnam and China have lessened somewhat so that both countries have reopened to a greater extent than here. Appearances are required on 8/18/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 5/15/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the global settlement which has been delayed to the pandemic. The court on its own motion continues the status conference to 8/18/20 at 1:30 p.m. No appearances are required on 5/19/20.

Prior tentative ruling as of 3/18/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the settlement and to allow additional time for plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 5/19/20 at 1:30 p.m. No appearances are

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 30, 2020

Hearing Room 1675

11:30 AM

CONT... **Kody Branch of California, Inc.**
required on 3/24/20.

Chapter 7

Prior tentative ruling. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference after the mediation between plaintiff and principals of debtor and related parties and allowing plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 3/24/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Gia Phu Fashion Garment Co.

Pro Se

Plaintiff(s):

Wesley H. Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 30, 2020

Hearing Room 1675

11:30 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01469 Avery v. Trinh Vuong Garment Co., Ltd.

#6.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential and fraudulent transfers fr. 3/24/20, 5/19/20, 8/18/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/25/20. The court has reviewed plaintiff's unilateral status report filed on 9/23/20 stating that the parties have reached a tentative settlement and requesting a 60-90 day continuance of the status conference to finalize their agreement. Since the status report is unilateral and there is no stipulation to continue the status conference, appearances are required on 9/30/20 to discuss scheduling of further proceedings, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 30, 2020

Hearing Room 1675

11:30 AM

CONT... Kody Branch of California, Inc.

Chapter 7

the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 8/14/20. No tentative ruling on the merits. Appearances are required on 8/18/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 5/15/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the global settlement which has been delayed to the pandemic. The court on its own motion continues the status conference to 8/18/20 at 1:30 p.m. No appearances are required on 5/19/20.

Prior tentative ruling as of 3/18/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the settlement and to allow additional time for plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 5/19/20 at 1:30 p.m. No appearances are required on 3/24/20.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference after the mediation between plaintiff and principals of debtor and related parties and allowing plaintiff to make further efforts to serve defendant, which may

**United States Bankruptcy Court
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CONT... Kody Branch of California, Inc.

Chapter 7

require compliance with the Hague Convention. The court on its own motion continues the status conference to 3/24/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Trinh Vuong Garment Co., Ltd.

Pro Se

Plaintiff(s):

Wesley H. Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 30, 2020

Hearing Room 1675

11:30 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01472 Avery v. Shanghai Medicines and Health Products Import and

#7.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential and fraudulent transfers fr. 3/24/20, 5/19/20, 8/18/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/25/20. The court has reviewed plaintiff's unilateral status report filed on 9/23/20 stating that the parties have reached a tentative settlement and requesting a 60-90 day continuance of the status conference to finalize their agreement. Since the status report is unilateral and there is no stipulation to continue the status conference, appearances are required on 9/30/20 to discuss scheduling of further proceedings, but counsel and self-represented parties must appear by telephone.

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Central District of California
Los Angeles
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Wednesday, September 30, 2020

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11:30 AM

CONT... Kody Branch of California, Inc.

Chapter 7

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Prior tentative ruling as of 8/14/20. Since settlement of this and related actions was reached at the mediation before Judge Bluebond on 1/30/20, the status conference has been continued twice in order to implement the settlement. Even though economic activity has been lessened due to the pandemic, counsel should explain why the necessary claim releases for this and the related actions cannot be obtained since the pandemic conditions in Vietnam and China have lessened somewhat so that both countries have reopened to a greater extent than here. Appearances are required on 8/18/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 5/15/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the global settlement which has been delayed to the pandemic. The court on its own motion continues the status conference to 8/18/20 at 1:30 p.m. No appearances are required on 5/19/20.

Prior tentative ruling as of 3/18/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the settlement and to allow additional time for plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 5/19/20 at 1:30 p.m. No appearances are

**United States Bankruptcy Court
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Wednesday, September 30, 2020

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11:30 AM

CONT... **Kody Branch of California, Inc.**
required on 3/24/20.

Chapter 7

Prior tentative ruling. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference after the mediation between plaintiff and principals of debtor and related parties and allowing plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 3/24/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Shanghai Medicines and Health

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 30, 2020

Hearing Room 1675

11:30 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01475 Avery v. Van

#8.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential and fraudulent transfers fr. 3/24/20, 5/19/20, 8/18/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/25/20. The court has reviewed plaintiff's unilateral status report filed on 9/23/20 stating that the parties have reached a tentative settlement and requesting a 60-90 day continuance of the status conference to finalize their agreement. Since the status report is unilateral and there is no stipulation to continue the status conference, appearances are required on 9/30/20 to discuss scheduling of further proceedings, but counsel and self-represented parties must appear by telephone.

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**United States Bankruptcy Court
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Los Angeles
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Wednesday, September 30, 2020

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11:30 AM

CONT... Kody Branch of California, Inc.

Chapter 7

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Prior tentative ruling as of 8/14/20. Since settlement of this and related actions was reached at the mediation before Judge Bluebond on 1/30/20, the status conference has been continued twice in order to implement the settlement. Even though economic activity has been lessened due to the pandemic, counsel should explain why the necessary claim releases for this and the related actions cannot be obtained since the pandemic conditions in Vietnam and China have lessened somewhat so that both countries have reopened to a greater extent than here. Appearances are required on 8/18/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 5/15/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the global settlement which has been delayed to the pandemic. The court on its own motion continues the status conference to 8/18/20 at 1:30 p.m. No appearances are required on 5/19/20.

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**United States Bankruptcy Court
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11:30 AM

CONT... **Kody Branch of California, Inc.**
required on 3/24/20.

Chapter 7

Prior tentative ruling. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference after the mediation between plaintiff and principals of debtor and related parties and allowing plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 3/24/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Trinh Thi Hong Van

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

**United States Bankruptcy Court
Central District of California
Los Angeles
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Wednesday, September 30, 2020

Hearing Room 1675

11:30 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01476 Avery v. Chau

#9.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential, fraudulent, unauthorized postpetition transfers; and disallowance of claim fr. 3/24/20, 5/19/20, 8/18/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/25/20. The court has reviewed plaintiff's unilateral status report filed on 9/23/20 stating that the parties have reached a tentative settlement and requesting a 60-90 day continuance of the status conference to finalize their agreement. Since the status report is unilateral and there is no stipulation to continue the status conference, appearances are required on 9/30/20 to discuss scheduling of further proceedings, but counsel and self-represented parties must appear by telephone.

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CONT... Kody Branch of California, Inc.

Chapter 7

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**United States Bankruptcy Court
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11:30 AM

CONT... **Kody Branch of California, Inc.**
required on 3/24/20.

Chapter 7

Prior tentative ruling. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference after the mediation between plaintiff and principals of debtor and related parties and allowing plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 3/24/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Cong Ty Tnhh Anh Chau

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

**United States Bankruptcy Court
Central District of California
Los Angeles
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Courtroom 1675 Calendar**

Wednesday, September 30, 2020

Hearing Room 1675

11:30 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01477 Avery v. Shaoxing LeiLei Import & Export Company

#10.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of fraudulent, unauthorized postpetition transfers; and disallowance of claim fr. 3/24/20, 5/19/20, 8/18/20

Docket 1

Tentative Ruling:

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Central District of California
Los Angeles
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Wednesday, September 30, 2020

Hearing Room 1675

11:30 AM

CONT... Kody Branch of California, Inc.

Chapter 7

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**United States Bankruptcy Court
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11:30 AM

CONT... **Kody Branch of California, Inc.**
required on 3/24/20.

Chapter 7

Prior tentative ruling. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference after the mediation between plaintiff and principals of debtor and related parties and allowing plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 3/24/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Shaoxing LeiLei Import & Export

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, September 30, 2020

Hearing Room 1675

11:30 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01478 Avery v. Shaoxing Tuchang Knitting Textile Co., Ltd.

#11.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential fraudulent, unauthorized postpetition transfers; and disallowance of claim fr. 3/24/20, 5/19/20, 8/18/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/25/20. The court has reviewed plaintiff's unilateral status report filed on 9/23/20 stating that the parties have reached a tentative settlement and requesting a 60-90 day continuance of the status conference to finalize their agreement. Since the status report is unilateral and there is no stipulation to continue the status conference, appearances are required on 9/30/20 to discuss scheduling of further proceedings, but counsel and self-represented parties must appear by telephone.

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**United States Bankruptcy Court
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Wednesday, September 30, 2020

Hearing Room 1675

11:30 AM

CONT... Kody Branch of California, Inc.

Chapter 7

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Prior tentative ruling as of 3/18/20. Off calendar. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in light of the conditional settlement between plaintiff and principals of debtor and related parties and allowing some time for the parties to remove the conditions for the settlement and to allow additional time for plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 5/19/20 at 1:30 p.m. No appearances are

**United States Bankruptcy Court
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CONT... **Kody Branch of California, Inc.**
required on 3/24/20.

Chapter 7

Prior tentative ruling. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference after the mediation between plaintiff and principals of debtor and related parties and allowing plaintiff to make further efforts to serve defendant, which may require compliance with the Hague Convention. The court on its own motion continues the status conference to 3/24/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Shaoxing Tuchang Knitting Textile

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, September 30, 2020

Hearing Room 1675

11:30 AM

2:18-11525 Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

#12.00 Cont'd status conference re: Motion for contempt
fr. 2/19/20, 5/6/20, 7/1/20

Docket 205

Tentative Ruling:

No updated tentative ruling as of 9/25/20. Appearances are required on 9/30/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large

**United States Bankruptcy Court
Central District of California
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Courtroom 1675 Calendar**

Wednesday, September 30, 2020

Hearing Room 1675

11:30 AM

CONT... Shahriar Joseph Zargar and Shabnam Mesachi Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 6/26/20. No tentative ruling on the merits. Appearances are required on 7/1/20 to discuss the status of the related state court litigation which may have an impact on this litigation, but counsel and self-represented parties must 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
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Wednesday, September 30, 2020

Hearing Room 1675

11:30 AM

2:18-11525 Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

#13.00 Cont'd hearing re: Debtors' objection to amended claim no. 9 and motion to estimate claim for purposes of voting and distribution
fr. 2/19/20, 5/6/20, 7/1/20

Docket 103

Tentative Ruling:

No updated tentative ruling as of 9/25/20. Appearances are required on 9/30/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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11:30 AM

CONT... Shahriar Joseph Zargar and Shabnam Mesachi Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 6/26/20. No tentative ruling on the merits. Appearances are required on 7/1/20 to discuss the status of the related state court litigation which may have an impact on this litigation, but counsel and self-represented parties must 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

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11:30 AM

2:18-11525 Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

#14.00 Cont'd status conference re: Management of chapter 11 case
fr. 2/19/20, 5/6/20, 7/1/20

Docket 1

Tentative Ruling:

No updated tentative ruling as of 9/25/20. Appearances are required on 9/30/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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11:30 AM

CONT... Shahriar Joseph Zargar and Shabnam Mesachi Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 6/26/20. No tentative ruling on the merits. Appearances are required on 7/1/20 to discuss the status of the related state court litigation which may have an impact on this litigation, but counsel and self-represented parties must 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
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Wednesday, September 30, 2020

Hearing Room 1675

11:30 AM

2:18-11525 Shahriar Joseph Zargar

Chapter 11

Adv#: 2:18-01144 Shadsirat v. Zargar et al

- #15.00** 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. 2/19/20, 5/6/20, 7/1/20

Docket 1

Tentative Ruling:

No updated tentative ruling as of 9/25/20. Appearances are required on 9/30/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
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11:30 AM

CONT... Shahriar Joseph Zargar

Chapter 11

scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 6/26/20. No tentative ruling on the merits. Appearances are required on 7/1/20 to discuss the status of the related state court litigation which may have an impact on this litigation, but counsel and self-represented parties must 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
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Wednesday, September 30, 2020

Hearing Room 1675

1:30 PM

2:17-23722 Kody Branch of California, Inc.

Chapter 7

#16.00 Cont'd hearing re: Chapter 7 trustee's omnibus objection to: Claim No. 11 - Shaoxing LeiLei Import & Export; Claim No. 12 - Cong Ty Tnhh Anh Chau; Claim No. 13 - Shaoxing Tuchang Knitting Textile; Claim No. 14 - Gia Phu Fashion Company; and Claim No. 15 - Cong Ty May Trinh Vuong
fr. 4/28/20, 6/2/20, 6/9/20

Docket 351

Tentative Ruling:

Updated tentative ruling as of 9/25/20. The court will treat the objections to claims as contested matters under FRBP 9014 and will treat the hearing on 9/30/20 as a status conference. The parties should advise the court whether there are material issues of fact that require an evidentiary hearing. If so, the court will inquire with the parties as to an appropriate pretrial and trial schedule. If not, the court will discuss with the parties scheduling of a final hearing on the objections to hear arguments on the evidentiary objections asserted by the parties and on the merits of the objections. Appearances are required on 9/30/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30,

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1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Updated tentative ruling as of 6/8/20. In response to the trustee's omnibus objections to claims, claimants through their attorney filed amended claims on 5/11/20 and 5/12/20. Pursuant to Rule 3001(f) of the Federal Rule of Bankruptcy Procedure (FRBP), proofs of claim executed and filed in accordance with the FRBP shall constitute prima facie evidence of the validity and amount of the claims. In reply, the trustee supported by declarations of Linda Lee and Michael Weinberg has rebutted the prima facie correctness of the amended proofs of claim by showing that the documents attached to the amended proofs of claim were fabricated and are not genuine. Moreover, in the court's view, the documents to support amended claims lack evidentiary foundation as none of the documents attached in support of the amended claims are properly authenticated by someone with personal knowledge as required by Rules 602, 901 and 902 of the Federal Rules of Evidence, which tends to show that the objections to the claims have rebutted the prima facie correctness of the claims, and that the claimants bear the ultimate burden of proving the validity of their claims and should be prepared to show that they have met this burden at the hearing. In re Holm, 931 F.2d 620, 623 (9th Cir. 1991).

Appearances are required on 6/9/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California

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1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling. Continued by stipulation and order to 6/2/20 at 2:30 p.m. No appearances are required on 4/28/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

**United States Bankruptcy Court
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Wednesday, September 30, 2020

Hearing Room 1675

1:30 PM

2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01479 Avery v. Trinh

#17.00 Cont'd status conference re: Complaint for (1) breach of fiduciary duty; (2) conversion; (3) misappropriation of trade secrets; (4) wrongful disparagement of debtor's assets; (5) avoidance, recovery, and preservation of preferential transfers; (6) avoidance, recovery, and preservation of preferential transfers; (6) avoidance, recovery, and preservation of actual fraudulent transfers; (7) avoidance, recovery, and preservation of constructive fraudulent transfers; (8) unauthorized post-petition transfers; and (9) turnover of property of the estate
fr. 3/3/20, 5/5/20, 7/14/20

Docket 1

***** VACATED *** REASON: Cont'd from 9/30/20 to 11/17/20 at 1:30 p.m.
per stip & order entered on 9/3/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 11/17/20 at 1:30 p.m. No appearances are required on 9/30/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Tony Trinh

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald

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1:30 PM

CONT... Kody Branch of California, Inc.

Chapter 7

Richard A Marshack
D Edward Hays
David Wood

**United States Bankruptcy Court
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Wednesday, September 30, 2020

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

#18.00 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. 4/28/20, 6/16/20, 8/4/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/25/20. The court will discuss with the parties how the trial will be conducted. At this time, the court is not conducting in person hearings because the federal courthouses in this judicial district remain closed to the public. The court can set a date for a trial to be conducted remotely or continue the proceedings for a further status conference on trial setting to see if in person hearings can be held, and the court will hear from the parties as to how to proceed at this time. Appearances are required on 9/30/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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Wednesday, September 30, 2020

Hearing Room 1675

1:30 PM

CONT... **People Who Care Youth Center, Inc.**

Chapter 11

parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 7/31/20. No tentative ruling on the merits. Defendants in their objection to a remote trial asserted that they timely demanded a jury trial on claims so jury triable, but the court has not been able to locate such demand. Defendants should identify such document indicating a timely jury trial demand and indicate which claims are jury triable. The court will discuss trial scheduling with the parties. Appearances are required on 8/4/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 6/12/20. No tentative ruling on the merits. The court will discuss proceeding with the trial remotely by videoconferencing in light of the current pandemic and has issued an order describing proposed remote trial procedures for the trial. Appearances are required on 6/16/20, but counsel and self-represented parties must appear by telephone.

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
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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

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Wednesday, September 30, 2020

Hearing Room 1675

2:30 PM

2:18-12224 Raesi Group, Inc

Chapter 11

#19.00 Status conference re trial scheduling re: Objection to claim number 4 by claimant US Bank National Association as Trustee for Velocity Commercial Capital Loan Trust 2014-1
fr. 4/15/20, 6/3/20, 8/4/20

Docket 115

Tentative Ruling:

Updated tentative ruling as of 9/28/20. Since the court is not conducting in person hearings at this time, the court will discuss proceeding with the trial scheduled for 10/15/20 remotely. The court has also by order scheduled a technical status conference to test audiovisual capacities of the parties for trial on 10/8/20 at 2:00 p.m., which the court would like to reschedule for 10/6/20 at 11:00 a.m. Appearances are required on 9/30/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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2:30 PM

CONT...

Raesi Group, Inc

Chapter 11

the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 7/31/20. The court will further discuss with the parties scheduling of the trial. In light of the current surge of coronavirus cases in the area, as a precaution, the court is inclined to conduct the trial remotely by videoconferencing on Zoom and will set a technical pretrial conference to test the technical capabilities of the parties. Appearances are required on 8/4/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 5/28/20. No tentative ruling on the merits. The court will discuss proceeding with the evidentiary hearing remotely by videoconferencing in light of the current pandemic and has issued an order describing proposed remote trial procedures for the hearing. Appearances are required on 6/3/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 4/13/20. The court schedules the status conference on 4/7/20 to discuss with the parties how a trial in the matter may be conducted and when possibly it can be scheduled. Given the current surge of coronavirus cases in the court and in the state and the need for appropriate social distancing, it would probably be prudent not to schedule so soon. In this court's view, a trial will not be scheduled earlier than 6/1/20. A court committee is being appointed to consider the conduct of video evidentiary hearings, but whether this is technically feasible and legally proper has not yet determined for this court yet. Appearances are required on

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2:30 PM

CONT... Raesi Group, Inc

Chapter 11

4/15/20, but counsel must appear by telephone.

Prior tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion must and does vacate the evidentiary hearing for the contested matter of Debtor's objection to Claim No. 4 of U.S. Bank National Association as Trustee for Velocity Commercial Capital Loan Trust 2014-1 in this bankruptcy case scheduled for April 22, 2020 at 9:00 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012 because in person appearances are not permitted in the courthouse on that date. No appearances are required on April 22, 2020 at 9:00 a.m. as the evidentiary hearing on that date is vacated.

The court further on its own motion sets a status conference in this contested matter on April 15, 2020 at 11:00 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012. The purpose of the status conference is to discuss rescheduling the evidentiary hearing on the claim objection. Because the Roybal Federal Building is closed to the public on April 15, 2020 by the aforementioned order of the United States District Court, the parties to this contested matter and their counsel must appear telephonically at the status conference in accordance with the court's telephone appearance procedures posted online on the court's website.

Prior tentative ruling as of 3/9/20. Off calendar. The court vacated the hearing on 3/11/20 after resetting the matter for trial on 4/22/20 at 9:00 a.m. No appearances are required on 3/11/20.

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2:30 PM

CONT... Raesi Group, Inc

Chapter 11

Prior tentative ruling as of 1/16/20. Off calendar. Continued by stipulation and order to 2/28/20 at 10:00 a.m. No appearances are required on 1/17/20.

Prior tentative ruling as of 11/13/19. Off calendar. Evidentiary hearing on 11/15/19 vacated by order entered on 11/13/19, and telephonic status conference is set for 11/26/19 at 1:30 p.m. to reschedule evidentiary hearing if the parties are unable to stipulate to a continued hearing date and time. No appearances are required on 11/15/19.

Revised tentative ruling as of 10/2/19. Off calendar. Continued by stipulation and order to 11/15/19 at 9:00 a.m. No appearances are required on 10/4/19.

Prior tentative ruling as of 7/29/19. No tentative ruling on the merits. Appearances are required on 7/31/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. No tentative ruling on the merits. Appearances are required on 6/26/19.

Prior tentative ruling. Treat the motion objecting to claim as a contested matter under FRBP 9014 and set a schedule of pretrial proceedings, including discovery, since there are disputed issues of material fact. Parties should confer regarding an appropriate schedule if they can. Appearances are required on 5/8/19, but counsel may appear by telephone.

Creditor may be entitled to its claim for attorneys' fees under 11 U.S.C. 506(b) pursuant to contract based on its loan agreement secured by deed of trust, which were upheld as valid in the state court litigation. The four elements for a claim under 11 U.S.C. 506(b) are: (1) its claim is an allowed secured claim; (2) it is an oversecured creditor; (3) the fees it asserts are reasonable; and (4) the fees it asserts are provided for under an agreement under which such claim arose, or the fees are provided for under a state statute under which the creditor's claim arose. In re Astle, 364 B.R. 735, 741 (Bankr. D. Idaho 2007). The claim is an allowed secured claim based on the state court judgment, though the judgment is on appeal. The creditor is an oversecured creditor, which is not in dispute. The reasonableness of the fees it asserts is in material dispute. Creditor has only submitted redacted versions of its

**United States Bankruptcy Court
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Wednesday, September 30, 2020

Hearing Room 1675

2:30 PM

CONT...

Raesi Group, Inc

Chapter 11

counsel's fee statements, which do not provide sufficient information for the court to review for reasonableness. Creditor must file unredacted versions, or submit unredacted versions in camera with a privilege log if creditor claims that the reacted matter is privileged. Debtor as the objecting party must carry its burden of explaining what in the fee statements are unreasonable or at least what would be reasonable under the circumstances. In re Koncicky, 2007 WL 7540997 (9th Cir. BAP 2007)(unpublished memorandum opinion) (citation omitted). Debtor has the responsibility to challenge the information and provide evidence controverting that produced by creditor. Id. Debtor has not met this burden. The fees that creditor asserts are provided by the loan agreement between it and its borrower providing for reasonable attorneys' fees if it incurs or pays to maintain, protect or enforce its rights under the loan agreement as secured by the deed of trust. Exhibits A and C to Favela Declaration. Case law in California allows such fees to be added to the balance under the promissory note secured by trust deed. Chacker v. JPMorgan Chase Bank, N.A., 27 Cal.App.5th 351, 356-358 (2018). However, there is no separate award of attorneys' fees authorized by statute, such as California Civil Code 1717 because debtor is not a signatory to the contract in the loan agreement and creditor has not otherwise shown that it would have been liable for the fees of the opposing party if the opposing party had prevailed. Asphalt Professionals, Inc. v. Davis (In re Davis), 595 B.R. 818, 837 (Bankr. C.D. Cal. 2019), citing, Dell Merk, Inc. v. Franzia, 132 Cal.App.4th 443, 441 (2005). Thus, creditor will need to submit fully unredacted copies of its fee statements to the court, and debtor will need to explain what in the fee statements are unreasonable and/or produce evidence showing that the fees are unreasonable.

Party Information

Debtor(s):

Raesi Group, Inc

Represented By
Christopher P Walker

Movant(s):

Raesi Group, Inc

Represented By
Christopher P Walker

**United States Bankruptcy Court
Central District of California
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Wednesday, September 30, 2020

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2:30 PM

2:18-12224 Raesi Group, Inc

Chapter 11

#20.00 Cont'd status conference re: Post confirmation of chapter 11 plan
fr. 3/4/20, 6/10/20, 8/4/20

Docket 82

Tentative Ruling:

No tentative ruling as of 9/25/20. Appearances are required on 9/30/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large

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CONT... Raesi Group, Inc

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, October 6, 2020

Hearing Room 1675

10:30 AM

2:20-17797 Sarath Pang

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(The Golden 1 Credit Union VS Debtor)

Docket 10

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 10/6/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Sarath Pang

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
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Tuesday, October 6, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01259 Goodrich v. Kabbage, Inc.

- #2.00** Cont'd status conference re: Complaint for: (1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; (2) Recovery of property pursuant to 11 U.S.C. § 550; (3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; (4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and (5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 4/28/20, 6/30/20, 8/4/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/2/20. Plaintiff's motion to approve compromise is under review by the court; however, the court observes that service of the motion is deficient that not all creditors listed on the creditor mailing matrix have been given notice of the motion as creditors Bank of America, Business Capital Finance, Richard Badoo and Wells Fargo were not served with notice. Otherwise, no tentative ruling on the merits. Appearances are required on 10/6/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30,

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CONT... SOCALDEAL INC

Chapter 7

2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Kabbage, Inc.

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

**United States Bankruptcy Court
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Tuesday, October 6, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01260 Goodrich v. Marganian

- #3.00** Cont'd status conference re: Complaint for: (1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; (2) Recovery of property pursuant to 11 U.S.C. § 550; (3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; (4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and (5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 4/28/20, 6/30/20, 8/4/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/2/20. Plaintiff in his status report filed on 7/31/20 stated that his motion for default judgment will be filed by the status conference scheduled for 8/4/20, but as of 10/1/20, no such motion has been filed. No tentative ruling on the merits. Appearances are required on 10/6/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone

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CONT... SOCALDEAL INC

Chapter 7

before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Shahram Marganian

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

**United States Bankruptcy Court
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Los Angeles
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Tuesday, October 6, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01266 Goodrich v. YAEL, LLC

#4.00 Cont'd status conference re: Complaint for: (1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; (2) Recovery of property pursuant to 11 U.S.C. § 550; (3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; (4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and (5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 4/28/20, 6/30/20, 8/4/20

Docket 1

*** VACATED *** REASON: Per judgment entered on 8/25/20-mb.

Tentative Ruling:

Updated tentative ruling as of 10/2/20. Off calendar. The status conference is moot because default judgment was entered on 8/25/20. No appearances are required on 10/6/20.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

YAEL, LLC

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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CONT... SOCALDEAL INC

Chapter 7

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Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01280 Goodrich v. Shemtov

#5.00 Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542
fr. 5/5/20, 6/30/20, 8/4/20

Docket 1

Tentative Ruling:

Although the court has set a hearing on plaintiff's motion for default judgment for 10/13/20 at 2:00 p.m. by order entered on 9/28/20, plaintiff may address the concerns raised by the court in this order at the status conference on 10/6/20. Appearances are required on 10/6/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone

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CONT... SOCALDEAL INC

Chapter 7

before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Simon Shemtov

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

**United States Bankruptcy Court
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Los Angeles
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Tuesday, October 6, 2020

Hearing Room 1675

1:30 PM

2:19-24787 Bradley Edward Barnes

Chapter 7

Adv#: 2:20-01064 WVJP 2017-1, LP v. Barnes et al

#6.00 Cont'd status conference re: Complaint for 1. for false pretenses, a false representation or actual fraud pursuant to 11 U.S.C. §523(a)(6); in the alternative 2. for false pretenses, a false representation or actual fraud pursuant to 11 U.S.C. §523(a)(2)(A); 3. for false pretenses, a false representation or actual fraud pursuant to 11 U.S.C. §523(a)(2)(B); 4. for willful and malicious injury Y 11 U.S.C. §523(a)(6); 5. for determination that defendant's debts are not dischargeable pursuant to 11 U.S.C. §727(a)(2); 6. for a determination that defendant's debts are not dischargeable pursuant to 11 U.S.C. §727(a)(3); 7. for a determination that defendant's debts are not dischargeable pursuant to 11 U.S.C. §727(a)(4); and 8. for a determination that defendant's debts are not dischargeable pursuant to 11 U.S.C. §727(a)(5)
fr. 5/19/20, 6/16/20, 8/18/20

Docket 1

Tentative Ruling:

Off calendar. The court on its own motion continues the status conference to 10/27/20 at 2:30 p.m. to be conducted with hearings on defendant's motion to dismiss and for sanctions. The court notes that these motions were filed on 9/30/20, the day that the stay of proceedings lifted and that plaintiff filed an amended complaint on 10/1/20. The parties should file a joint status report on 10/20/20, a week before the continued status conference, in light of these developments as well as on the status of the pending appeal of the related state court action. No appearances are required on 10/6/20.

Party Information

Debtor(s):

Bradley Edward Barnes

Represented By
Susan I Montgomery

Defendant(s):

Bradley Edward Barnes

Pro Se

Allison Platz Barnes

Pro Se

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1:30 PM

CONT... Bradley Edward Barnes

Chapter 7

Joint Debtor(s):

Allison Platz Barnes

Represented By
Susan I Montgomery

Plaintiff(s):

WVJP 2017-1, LP

Represented By
Joseph Chora

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, October 6, 2020

Hearing Room 1675

2:00 PM

2:12-16195 David Alan Wilson

Chapter 7

Adv#: 2:12-01317 McKnew, Thomas I. IV et al v. Wilson

#7.00 Cont'd status conference re: Plaintiffs' application and order for appearance and examination - Michelle Wilson
fr. 9/16/20

Docket 571

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 10/6/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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Tuesday, October 6, 2020

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CONT... David Alan Wilson

Chapter 7

operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

David Alan Wilson

Represented By
Michael N Nicastrò
Christina M Chan
Eryk R Escobar

Defendant(s):

David A Wilson

Represented By
Jon-Michael A Marconi
James Andrew Hinds Jr
David Samuel Shevitz
Christopher A Dias

Plaintiff(s):

McKnew, Thomas I. IV

Represented By
James Andrew Hinds Jr
Paul R Shankman
Hye Jin Jang
Brian Barouir Yeretziàn
Rachel M Sposato

Lisa A McKnew

Represented By
James Andrew Hinds Jr
Paul R Shankman
Hye Jin Jang
Brian Barouir Yeretziàn
Rachel M Sposato

**United States Bankruptcy Court
Central District of California
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CONT... David Alan Wilson

Chapter 7

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Thomas H Casey

**United States Bankruptcy Court
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Tuesday, October 6, 2020

Hearing Room 1675

2:00 PM

2:12-16195 David Alan Wilson

Chapter 7

Adv#: 2:12-01317 McKnew, Thomas I. IV et al v. Wilson

#8.00 Cont'd status conference re: Plaintiffs' application and order for appearance and examination - Beata Wilson
fr. 9/16/20

Docket 572

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 10/6/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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CONT... **David Alan Wilson**

Chapter 7

operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

David Alan Wilson

Represented By
Michael N Nicastrò
Christina M Chan
Eryk R Escobar

Defendant(s):

David A Wilson

Represented By
Jon-Michael A Marconi
James Andrew Hinds Jr
David Samuel Shevitz
Christopher A Dias

Plaintiff(s):

McKnew, Thomas I. IV

Represented By
James Andrew Hinds Jr
Paul R Shankman
Hye Jin Jang
Brian Barouir Yeretizian
Rachel M Sposato

Lisa A McKnew

Represented By
James Andrew Hinds Jr
Paul R Shankman
Hye Jin Jang
Brian Barouir Yeretizian
Rachel M Sposato

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Central District of California
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CONT... David Alan Wilson

Chapter 7

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Thomas H Casey

**United States Bankruptcy Court
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Tuesday, October 6, 2020

Hearing Room 1675

2:00 PM

2:18-23326 Alfred Lee Stringer

Chapter 7

Adv#: 2:19-01053 Lee et al v. Stringer

#9.00 Defendant Alfred Lee Stringer must show cause, if any, why sanctions should not be imposed against him for failure to appear at the Pretrial Conference in this adversary proceeding on September 8, 2020

Docket 13

Tentative Ruling:

The court has reviewed defendant's declaration in response to the court's order to show cause refiled on 10/2/20 and is inclined to discharge the order to show cause and not impose sanctions. Appearances are required on 10/6/20 to discuss defendant's future efforts to defend the litigation, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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CONT... Alfred Lee Stringer

Chapter 7

call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Alfred Lee Stringer

Represented By
Marc A Goldbach

Defendant(s):

Alfred Lee Stringer

Pro Se

Plaintiff(s):

Mylaunna Lee

Represented By
Albert L Chaney III

Sharlet Marie Lee

Represented By
Albert L Chaney III

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 6, 2020

Hearing Room 1675

2:30 PM

2:19-10246 Dean Henrik Okland

Chapter 7

Adv#: 2:19-01102 Sunderland et al v. Okland

#10.00 Hearing re: Motion to compel initial disclosures and answers to interrogatories and requests for production of documents

Docket 34

Tentative Ruling:

Grant plaintiffs' motion to compel defendant's initial disclosures, answers to plaintiffs' interrogatories and responses to plaintiffs' requests for production of documents pursuant to FRBP 7037 and FRCP 37(a)(1) and (3)(A) and (B) for the reasons stated in the moving papers and for lack of timely written opposition pursuant to LBR 9013-1(h) and award reasonable attorneys' fees and costs of \$2,380.00 pursuant to FRBP 7037 and FRCP 37(b)(5)(A), plus reasonable fees and costs for appearing at the hearing and preparing a lodging a proposed order on the motion. Appearances are required on 10/6/20 to discuss scheduling dates for defendants' compliance with the order compelling his discovery responses, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021,

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 6, 2020

Hearing Room 1675

2:30 PM

CONT... Dean Henrik Okland

Chapter 7

CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Dean Henrik Okland	Pro Se
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Defendant(s):

Dean Henrik Okland	Represented By Gary R Wallace
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Plaintiff(s):

HOWARD M EHRENBERG	Pro Se
Jennifer Sunderland	Represented By Kimberly Wright
James Farrow	Represented By Kimberly Wright

Trustee(s):

Howard M Ehrenberg (TR)	Represented By Jeffrey S Shinbrot
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 6, 2020

Hearing Room 1675

2:30 PM

2:20-14902 Boris M. Tadjikov

Chapter 7

#11.00 Hearing re: Trustee's motion to sell right, title and interest of the debtor's estate in non-publicly traded stock pursuant to 11 U.S.C. § 363(b)

Docket 23

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the trustee's motion to sell the estate's right, title and interest in nonpublicly traded stock pursuant to 11 U.S.C. 363(b), the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants the motion for the reasons stated in the moving papers and for lack of timely written opposition. In granting the motion, the court finds that Lasen, Inc., is a good faith purchaser within the meaning of 11 U.S.C. 363(m) and waives the 14 day stay on enforcement of the order granting the motion pursuant to FRBP 6004(h). No appearances are required on 9/29/20. Trustee to lodge a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Boris M. Tadjikov

Represented By
Leslie A Cohen

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 6, 2020

Hearing Room 1675

2:30 PM

2:20-14932 Ousmane Conde

Chapter 7

#12.00 Cont'd hearing re: United States Trustee's Motion to Convert Case from Chapter 7 to Chapter 11 Pursuant to 11 U.S.C. section 706(b) fr. 9/15/20

Docket 13

***** VACATED *** REASON: Moot, case dismissed per stip & order entered on 9/23/20-mb.**

Tentative Ruling:

Off calendar. The hearing on the motion is moot because the case was dismissed by stipulation and order. No appearances are necessary.

Party Information

Debtor(s):

Ousmane Conde

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, October 6, 2020

Hearing Room 1675

3:00 PM

2:14-17378 Phillip P Garcia and Misty M Garcia

Chapter 7

#13.00 Cont'd hearing re: Objection to proofs of claim of the Novak Law Firm, P.C., claim nos. 3-1 and 3-2
fr. 8/4/20

Docket 30

Tentative Ruling:

Updated tentative ruling as of 10/2/20. Off calendar. The court on its own motion continues the hearing on the objections to 10/27/20 at 2:30 p.m. because settlement of this dispute is pending. Pursuant to the parties' settlement agreement approved by the order granting trustee's motion to approve compromise of this dispute filed and entered on 9/22/20, the objections will be deemed withdrawn once the order approving the settlement becomes final, which would be on 10/7/20, the day after the 14 day appeal period ends, which is the day after the continued hearing on 10/6/20. The court continues the hearing in anticipation that the order approving the settlement agreement will become final and the objections deemed withdrawn without further action. No appearances are required on 10/6/20.

The trustee's objection to creditor's claim, 3-1 and 3-2, appears to be moot by the filing of amended claim, 3-3, by creditor, apparently to address the grounds for the objection. See *In re International Horizons, Inc.*, 751 F.2d 1213, 1216 (11th Cir. 1985) ("In a bankruptcy case, amendment to a claim is freely allowed where the purpose is to cure a defect in the claim as originally filed, to describe the claim with greater particularity or to plead a new theory of recovery on the facts set forth in the original claim.") (citations omitted). To the extent that the trustee objects to creditor's amended claim, treat as a contested matter under FRBP 9014 since there are disputed issues of material fact, particularly, regarding the validity and amount of the claim which may be dependent on the outcome of a future motion of the trustee to approve compromise with an employment dispute involving the debtor (the amount of the reasonable contingency fee, if awarded on contingency, the allocation between prepetition and postpetition services, the impact of the lack

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 6, 2020

Hearing Room 1675

3:00 PM

CONT... Phillip P Garcia and Misty M Garcia Chapter 7

of employment authorization for postpetition services, the reasonableness of the fees if lodestar fees are awardable).

Appearances are required on 8/4/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 6, 2020

Hearing Room 1675

3:00 PM

CONT... **Phillip P Garcia and Misty M Garcia**

Chapter 7

Prior tentative ruling as of 6/8/20. No tentative ruling on the merits. The court will conduct the status conference in case that the United States Trustee or another party in interest has concerns regarding status. Appearances are required on 6/10/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Phillip P Garcia

Represented By
Lauren Rode

Joint Debtor(s):

Misty M Garcia

Represented By
Lauren Rode
Sean M Novak

Trustee(s):

Wesley H Avery (TR)

Represented By
Alan I Nahmias
Scott H Noskin

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 7, 2020

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. 3/25/20, 4/29/20, 6/3/20

Docket 203

Tentative Ruling:

Updated tentative ruling as of 10/2/20. Off calendar. Final decree entered in this case. No appearances are necessary.

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, October 7, 2020

Hearing Room 1675

11:00 AM

2:15-24071 Francisco O Lopez

Chapter 11

#2.00 Order to show cause why debtor's counsel of record, Jaurigue Law Group, and debtor Francisco Lopez should not be sanctioned for failure to appear at the September 9, 2020 status conference

Docket 167

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 10/7/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 7, 2020

Hearing Room 1675

11:00 AM

CONT... Francisco O Lopez

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Francisco O Lopez

Represented By
Nam H. Le
Ryan A. Stubbe

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 7, 2020

Hearing Room 1675

11:00 AM

2:15-24071 Francisco O Lopez

Chapter 11

#3.00 Hearing re: Motion under 11 U.S.C. § 1112(b)(1) to convert, dismiss or appoint a chapter 11 trustee

Docket 170

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 10/7/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 7, 2020

Hearing Room 1675

11:00 AM

CONT... Francisco O Lopez

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Francisco O Lopez

Represented By
Nam H. Le
Ryan A. Stubbe

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 7, 2020

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#4.00 Cont'd hearing re: Disclosure statement
fr. 4/29/20, 5/20/20, 6/3/20

Docket 174

Tentative Ruling:

Revised and updated tentative ruling as of 10/6/20. The court has reviewed debtor's status report filed on 10/6/20, detailing the progress made in preparing an amended disclosure statement. Debtor stated that he filed a notice of claims bar date of 10/30/20, which the court notes was filed on 8/17/20, stating it was filed pursuant to LBR 9013-1(q) governing motions to set a bar date. Upon review of the case docket, the court did not see that debtor filed a motion for the court to set a bar date under LBR 9013-1(q). The court must actually set a bar date by order pursuant to FRBP 3003((c)(3), which is usually done on motion, which has not been filed. Also, the court can on its own initiative set a bar date by order as noted in LBR 3003-1(a), but the court does not recall doing so. Apparently, the claims bar date of 10/30/20 noticed by debtor without a court order may not be valid unless there is a remedial court order validating the date. Debtor should explain that if the court ordered the bar date of 10/30/20, how it was done because it does not appear on the docket that there was a motion or a court ruling sua sponte. If the court has not ordered the bar date of 10/30/20, debtor may request that the court do so at the status conference. Otherwise, no tentative ruling on the merits. Appearances are required on 10/7/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 7, 2020

Hearing Room 1675

11:00 AM

CONT... Curtis C. Magleby

Chapter 11

telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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 7, 2020

Hearing Room 1675

11:00 AM

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. 4/29/20, 5/20/20, 6/3/20

Docket 1

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 10/7/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 7, 2020

Hearing Room 1675

11:00 AM

CONT... Curtis C. Magleby

Chapter 11

Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, October 7, 2020

Hearing Room 1675

11:30 AM

2:15-24071 Francisco O Lopez

Chapter 11

#6.00 Cont'd status conference re: Post confirmation of plan
fr. RN, 4/8/20, 7/1/20, 9/9/20

Docket 1

Tentative Ruling:

The status conference will be advanced 30 minutes to the 11:00 a.m. calendar to be conducted with related hearings in this case. No tentative ruling on the merits. Appearances are required on 10/7/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 7, 2020

Hearing Room 1675

11:30 AM

CONT... Francisco O Lopez

Chapter 11

operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, October 7, 2020

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

#7.00 Cont'd pretrial 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)
fr. 4/28/20, 6/23/20, 7/21/20

Docket 1

***** VACATED *** REASON: Cont'd from 10/7/20 from 1:30 p.m. to 2:30 p.m. per order entered on 9/30/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 10/5/20. This matter will be heard on the court's 2:30 p.m. calendar rather than the 1:30 p.m. calendar. Appearances are required at 2:30 p.m.

Prior tentative ruling as of 7/17/20. No tentative ruling on the merits. The court will discuss the pretrial statement submitted by plaintiff. Defendant needs to explain why he did not sign the pretrial statement submitted by plaintiff. The court will require the parties to meet and confer and agree to a joint pretrial statement before setting the matter for trial. The court will discuss with the parties whether the trial will be conducted by videoconference in light of the covid-19 pandemic. Appearances are required on 7/21/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. Instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 7, 2020

Hearing Room 1675

1:30 PM

CONT...

Avi Cohen

Chapter 7

COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through August 31, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 6/19/20. The court has reviewed plaintiff's unilateral pretrial statement and supporting declaration. No tentative ruling on the merits. The court will discuss proceeding with the evidentiary hearing remotely by videoconferencing in light of the current pandemic and has issued an order describing proposed remote trial procedures for the hearing. Appearances are required on 6/23/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 7, 2020

Hearing Room 1675

1:30 PM

CONT...

Avi Cohen

Chapter 7

CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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**

Wednesday, October 7, 2020

Hearing Room 1675

1:30 PM

2:14-29611 Nikolay Machevsky

Chapter 7

- #7.10** Hearing re: Motion for reconsideration of order (1) approving compromise; (2) authorizing trustee to transfer real property free and clear of liens interests; (3) requiring debtor to turn over real property of the estate; and (4) authorizing trustee to utilize U.S. Marshal and other law enforcement

Docket 61

Tentative Ruling:

No tentative ruling will be issued for this motion heard on shortened notice. Appearances are required on 10/7/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 7, 2020

Hearing Room 1675

1:30 PM

CONT... Nikolay Machevsky

Chapter 7

Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Nikolay Machevsky

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Nancy H Zamora

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 7, 2020

Hearing Room 1675

2:30 PM

2:18-17205 Avi Cohen

Chapter 7

Adv#: 2:18-01296 Swift Financial, LLC fka Swift Financial Corporati v. Cohen

#8.00 Hearing re: Motion for summary judgment or partial summary judgment

Docket 41

***** VACATED *** REASON: Cont'd from 10/7/20 to 11/18/20 at 1:30 p.m.
per order entered on 10/5/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 10/5/20. Off calendar. Continued to 11/18/20 at 1:30 p.m. by order granting in part and denying in part defendant's motion for continuance. No appearances are required on 10/7/20.

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**

Wednesday, October 7, 2020

Hearing Room 1675

2:30 PM

2:18-17205 Avi Cohen

Chapter 7

Adv#: 2:18-01296 Swift Financial, LLC fka Swift Financial Corporati v. Cohen

- #9.00** Cont'd pretrial 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)
fr. 4/28/20, 6/23/20, 7/21/20

Docket 1

***** VACATED *** REASON: Cont'd from 10/7/20 to 11/18/20 at 1:30 p.m.
per order entered on 10/5/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 10/5/20. Off calendar. Continued on the court's own motion to 11/18/20 at 1:30 p.m. by order granting in part and denying in part defendant's motion for continuance of hearing on plaintiff's motion for summary judgment. No appearances are required on 10/7/20.

Prior tentative ruling as of 7/17/20. No tentative ruling on the merits. The court will discuss the pretrial statement submitted by plaintiff. Defendant needs to explain why he did not sign the pretrial statement submitted by plaintiff. The court will require the parties to meet and confer and agree to a joint pretrial statement before setting the matter for trial. The court will discuss with the parties whether the trial will be conducted by videoconference in light of the covid-19 pandemic. Appearances are required on 7/21/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 6/19/20. The court has reviewed plaintiff's unilateral pretrial statement and supporting declaration. No tentative ruling on the merits. The court will discuss proceeding with the evidentiary hearing remotely by videoconferencing in light of the current pandemic and has issued an order describing proposed remote trial procedures for the hearing. Appearances are required on 6/23/20, but counsel and self-represented parties must appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 7, 2020

Hearing Room 1675

2:30 PM

CONT... Avi Cohen

Chapter 7

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**

Thursday, October 8, 2020

Hearing Room 1675

2:00 PM

2:18-12224 Raesi Group, Inc

Chapter 11

#1.00 Pretrial technical status conference by ZOOM re: Objection to claim number 4 by claimant US Bank National Association as Trustee for Velocity Commercial Capital Loan Trust 2014-1
fr. 4/15/20, 6/3/20, 8/4/20

Docket 115

***** VACATED *** REASON: Cont'd from 10/8/20 to 10/20/20 at 11:00 a.m. per order entered on 10/1/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 10/1/20. Off calendar. Continued to 10/20/20 at 11:00 a.m. by order entered on 10/1/20. No appearances are required on 10/8/20.

Party Information

Debtor(s):

Raesi Group, Inc

Represented By
Christopher P Walker

Movant(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**

Friday, October 9, 2020

Hearing Room 1675

10:30 AM

2:18-18159 Martha Alicia Fernandez

Chapter 7

Adv#: 2:18-01327 Walden et al v. Fernandez

#1.00 CONT'D TRIAL BY ZOOM RE: Complaint for non-dischargeability of debtor under § 523(a)(2)(A) fr. 9/17/20, 9/18/20, 9/24/20

Docket 1

Tentative Ruling:

Revised and tentative ruling as of 10/6/20. Off calendar. Based on the joint stipulation of the parties to continue the fourth day of trial from October 9, 2020, the court will approve the stipulation and will continue the fourth day of trial to November 13, 2020. No appearances are required on October 9, 2020. An order will follow.

The Court hereby provides notice to the parties to this adversary proceeding that the Court will hold the fourth day of trial on Plaintiffs' Complaint for Non-Dischargeability of Debt under 11 U.S.C. § 523(a)(2)(A) on **November 13, 2020 at 10:30 a.m.**, which will be conducted via Zoom for Government. Participants will be connected to the courtroom using Zoom for Government but will not be physically present in the courtroom. Participants must connect to the Zoom for Government courtroom no later than 10:20 a.m. and check in with the law clerk/DECRO. If a trial participant is having problems connecting to the trial, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, October 9, 2020

Hearing Room 1675

10:30 AM

CONT... Martha Alicia Fernandez

Chapter 7

Trial Day 4: November 13, 2020 at 10:30 a.m.

- a. Video. Utilize the following link:
<https://cacb.zoomgov.com/j/1611888665>
and insert **Meeting ID:** 161 188 8665 and **Password:** 320420
- b. Audio only. Audio-only participants must call into Zoom for
Government by calling:
+1 669 254 5252, or +1 646 828 7666;
and insert **Meeting ID:** 161 188 8665 and **Password:** 320420

Supplemental tentative ruling as of 9/17/20: In closing argument, counsel should advise the court as to which issues of fact and of law in the amended joint pretrial stipulation that you are still requesting the court to decide and which ones that you are no longer asking the court to decide. The parties should also address the applicability of California Business and Professions Code Section 7031(b) to the element of damages on plaintiffs' fraud claim under California law and 11 U.S.C. Section 523(a)(2)(A). See also, MW Erectors, Inc. v. Niederhauser Ornamental & Metal Works Co., Inc., 36 Cal.4th 412 (2005).

Party Information

Debtor(s):

Martha Alicia Fernandez

Represented By
Gary S Saunders

Defendant(s):

Martha Alicia Fernandez

Pro Se

Plaintiff(s):

Yvette Walden

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, October 9, 2020

Hearing Room 1675

10:30 AM

CONT... Martha Alicia Fernandez

Chapter 7

Guadalupe L Cruz Pro Se

Jose L Cruz 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, October 13, 2020

Hearing Room 1675

10:00 AM

2:12-16195 David Alan Wilson

Chapter 7

Adv#: 2:12-01317 McKnew, Thomas I. IV et al v. Wilson

#1.00 Hearing re: Application for third person witness judgment debt examination of Michelle Wilson on behalf of American General Corporation

Docket 571

***** VACATED *** REASON: Cont'd from 10/13/20 to 12/2/20 at 10:30 a.m. per order entered on 10/8/20-mb.**

Matter Notes:

___ Grant Tentative ___ Deny ___ Withdrawn ___ Moot ___ Stip

Other: _____

Order Preparation: ___ Movant ___ Debtor ___ Court ___ Respondent

Continued to: _____ at _____ a.m./p.m.

___ Notice Waived ___ Movant or ___ Respondent to give Notice

Tentative Ruling:

Off calendar. Continued by stipulation and order to 12/2/20 at 10:30 a.m. No appearances are required on 10/13/20.

Party Information

Debtor(s):

David Alan Wilson

Represented By
Michael N Nicastr
Christina M Chan
Eryk R Escobar

Defendant(s):

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 13, 2020

Hearing Room 1675

10:00 AM

CONT... David Alan Wilson

Chapter 7

David A Wilson

Represented By

Jon-Michael A Marconi
James Andrew Hinds Jr
David Samuel Shevitz
Christopher A Dias

Plaintiff(s):

McKnew, Thomas I. IV

Represented By

James Andrew Hinds Jr
Paul R Shankman
Hye Jin Jang
Brian Barouir Yeretzian
Rachel M Sposato

Lisa A McKnew

Represented By

James Andrew Hinds Jr
Paul R Shankman
Hye Jin Jang
Brian Barouir Yeretzian
Rachel M Sposato

Trustee(s):

Weneta M Kosmala (TR)

Represented By

Thomas H Casey

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 13, 2020

Hearing Room 1675

10:00 AM

2:12-16195 David Alan Wilson

Chapter 7

Adv#: 2:12-01317 McKnew, Thomas I. IV et al v. Wilson

#2.00 Hearing re: Application for third person witness judgment debt examination of Beata Wilson on behalf of American General Corporation

Docket 572

***** VACATED *** REASON: Cont'd from 10/13/20 to 10/29/20 at 10:00 a.m. per order entered on 10/8/20-mb.**

Matter Notes:

___ Grant Tentative ___ Deny ___ Withdrawn ___ Moot ___ Stip

Other: _____

Order Preparation: ___ Movant ___ Debtor ___ Court ___ Respondent

Continued to: _____ at _____ a.m./p.m.

___ Notice Waived ___ Movant or ___ Respondent to give Notice

Tentative Ruling:

Off calendar. Continued by stipulation and order to 10/29/20 at 10:00 a.m.
No appearances are required on 10/13/20.

Party Information

Debtor(s):

David Alan Wilson

Represented By
Michael N Nicastrro
Christina M Chan
Eryk R Escobar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 13, 2020

Hearing Room 1675

10:00 AM

CONT... David Alan Wilson

Chapter 7

Defendant(s):

David A Wilson

Represented By

Jon-Michael A Marconi
James Andrew Hinds Jr
David Samuel Shevitz
Christopher A Dias

Plaintiff(s):

McKnew, Thomas I. IV

Represented By

James Andrew Hinds Jr
Paul R Shankman
Hye Jin Jang
Brian Barouir Yeretzian
Rachel M Sposato

Lisa A McKnew

Represented By

James Andrew Hinds Jr
Paul R Shankman
Hye Jin Jang
Brian Barouir Yeretzian
Rachel M Sposato

Trustee(s):

Weneta M Kosmala (TR)

Represented By

Thomas H Casey

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 13, 2020

Hearing Room 1675

1:30 PM

2:17-21018 Prototype Engineering & Manufacturing, Inc.

Chapter 7

Adv#: 2:19-01332 Avery v. Leya Technologies, LLC et al

#2.01 Cont'd status conference re: Plaintiff's complaint for: (1) avoidance of actual fraudulent transfers; (2) avoidance of constructive fraudulent transfers; (3) recovery of avoided transfers; (4) breach of fiduciary duty; (5) recovery of prohibited distributions; (6) unjust enrichment; (7) aiding and abetting breach of fiduciary duty; and (8) substantive consolidation of certain defendants with the debtor's estate
fr. 4/30/20, 7/21/20, 9/29/20

Docket 1

Matter Notes:

___ Grant Tentative ___ Deny ___ Withdrawn ___ Moot ___ Stip.

Discovery Cut-off: 2/26/21

Pre-Trial Conference: _____ at _____ a.m./p.m.

Joint Pre-Trial Order Due: _____

Estimated Time for Trial: _____

Trial Date: _____

___ Dismissed for failure to prosecute

MEDIATION

Deadline to File Request: 8/31/20

Completion Deadline: _____

OSC ___ Failure to Appear ___ Failure to Submit Status report

OSC Hearing Date: _____

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 13, 2020

Hearing Room 1675

1:30 PM

CONT... Prototype Engineering & Manufacturing, Inc.

Chapter 7

Other: _____

Order Preparation: _____ Movant _____ Court _____ Respondent

Continued to: _____ at _____ a.m./p.m.

_____ Notice Waived _____ Movant or _____ Respondent to give Notice

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 10/13/20 to discuss the status of discovery relating to plaintiffs' filing of an amended substantive consolidation claim, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 13, 2020

Hearing Room 1675

1:30 PM

CONT... **Prototype Engineering & Manufacturing, Inc.** **Chapter 7**

telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Prototype Engineering &	Represented By Carol Chow
-------------------------	------------------------------

Defendant(s):

Leya Technologies, LLC	Pro Se
Bahram Bordbar	Pro Se
Malahat Bordbar	Pro Se
Sara Bordbar	Pro Se

Plaintiff(s):

Wesley H Avery	Represented By Carmela Pagay
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Trustee(s):

Wesley H Avery (TR)	Represented By Timothy J Yoo Carmela Pagay Lindsey L Smith Irving M Gross
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 13, 2020

Hearing Room 1675

1:30 PM

CONT... Prototype Engineering & Manufacturing, Inc.

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 13, 2020

Hearing Room 1675

2:00 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01280 Goodrich v. Shemtov et al

#2.10 Hearing re: Motion for entry of default judgement against defendant Simon Yaftadonay Pursuant to Federal Rule of Civil Procedure 55 as incorporated by Federal Rule of Bankruptcy Procedure 7055 and Local bankruptcy Rule 7055-1

Docket 21

Matter Notes:

____ Grant Tentative ____ Deny ____ Withdrawn ____ Moot ____ Stip

Other: _____

Order Preparation: ____ Movant ____ Debtor ____ Court ____ Respondent

Continued to: _____ at _____ a.m./p.m.

____ Notice Waived ____ Movant or ____ Respondent to give Notice

Tentative Ruling:

Off calendar. The court on its own motion continues this hearing to 12/8/20 at 1:30 p.m. At the status conference in this matter on 10/6/20, counsel for plaintiff represented that plaintiff will be filing a supplemental declaration of plaintiff's accountant to further support the motion for default judgment and needed additional time for this. No appearances are required on 10/13/20.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 13, 2020

Hearing Room 1675

2:00 PM

CONT... SOCALDEAL INC

Chapter 7

Keith F Rouse

Defendant(s):

Simon Shemtov

Pro Se

Simon Yaftadonay

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 13, 2020

Hearing Room 1675

2:30 PM

2:19-17471 Maria Emilia Chavez and Abel Chavez Bautista

Chapter 7

#3.00 Hearing re: Trustee's motion to sell real property, to pay exemption to the debtor and her husband, and for turnover

Docket 57

Matter Notes:

___ Grant Tentative ___ Deny ___ Withdrawn ___ Moot ___ Stip

Other: _____

Order Preparation: ___ Movant ___ Debtor ___ Court ___ Respondent

Continued to: _____ at _____ a.m./p.m.

___ Notice Waived ___ Movant or ___ Respondent to give Notice

Tentative Ruling:

Grant trustee's motion to sell real property pursuant to 11 U.S.C. 363(b) for the reasons stated in the moving papers and for lack of timely written opposition, including approving the residential purchase agreement, payment of costs of sale and all liens, claims and encumbrances against the property from the sales proceedings, the overbidding procedures, and turnover of the property from debtors. However, no tentative ruling as to finding the eventual purchaser as a good faith purchaser pursuant to 11 U.S.C. 363(m) and approval of an alternative purchaser since an auction to receive overbids and determine the highest and best bid has not been conducted.

The court notes that counsel for trustee failed to serve a judge's copy of the moving papers as required by LBR 5005-1(d), and given the length of the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 13, 2020

Hearing Room 1675

2:30 PM

CONT... Maria Emilia Chavez and Abel Chavez Bautista Chapter 7

moving papers exceeding 25 pages, the moving papers are not exempt from this requirement by the temporary suspension under General Order 20-02. Counsel is admonished to comply with the rule and may be subject to sanctions.

Appearances are required on 9/29/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213)

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 13, 2020

Hearing Room 1675

2:30 PM

**CONT... Maria Emilia Chavez and Abel Chavez Bautista
894-3385.**

Chapter 7

Party Information

Debtor(s):

Maria Emilia Chavez

Pro Se

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**

Wednesday, October 14, 2020

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, 5/13/20, 7/15/20, 8/19/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/13/20. Because another matter is being given priority in hearing, this matter will be heard second on the 11:00 calendar. No tentative ruling on the merits. Appearances are required on 10/14/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 14, 2020

Hearing Room 1675

11:00 AM

CONT... Brunelle Equities LLC

Chapter 11

the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, October 14, 2020

Hearing Room 1675

11:00 AM

2:12-15627 W & J Higgins Investments, L.P.

Chapter 11

#2.00 Cont'd hearing re: Motion to convert cases to chapter 7
fr. 4/1/20, 9/1/20

Docket 26

Tentative Ruling:

Updated tentative ruling as of 10/13/20. This matter will be called first on the calendar as the court is granting the request of counsel for the IRS for priority because he has another matter at the same before another judge of this court.

The court has reviewed debtor's status report filed on 10/7/20. The court agrees with debtor's recommendation that the case be dismissed due to the "empty box scenario" as the court has previously stated, i.e., the estate property revested in the reorganized debtor upon the effective date pursuant to the confirmed plan and 11 U.S.C. 1141(b), and there was no provision in the plan or confirmation order for revesting the former estate property now vested in the reorganized debtor back into a Chapter 7 estate after conversion. Therefore, there is no property for a Chapter 7 trustee to administer on conversion, *In re K&M Printing, Inc.*, 210 B.R. 583, 585-586 (Bankr. D. Ariz. 1997), and thus, it is not in the best interests of creditors to convert this case to Chapter 7 pursuant to 11 U.S.C. 1112(b). Appearances are required on 10/14/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 14, 2020

Hearing Room 1675

11:00 AM

CONT... W & J Higgins Investments, L.P.

Chapter 11

telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

W & J Higgins Investments, L.P.

Represented By
Robert E Opera
Sean A OKeefe
Andrew B Levin

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, October 14, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#3.00 Cont'd hearing re: Disclosure statement
fr. 6/3/20, 8/5/20, 9/9/20

Docket 277

Tentative Ruling:

Updated tentative ruling as of 10/9/20. No tentative ruling on the merits. Appearances are required on 10/14/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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CONT... Catherine Trinh

Chapter 11

will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

**United States Bankruptcy Court
Central District of California
Los Angeles
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11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#4.00 Cont'd status conference re: Post discovery
fr. 6/3/20, 8/5/20, 9/9/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/9/20. No tentative ruling on the merits. Appearances are required on 10/14/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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11:00 AM

CONT... Catherine Trinh

Chapter 11

will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 9/4/20. Off calendar. The court on its own motion continues this matter to 10/14/20 at 11:00 a.m. to be heard with the case management conference on that date. No appearances are required on 9/9/20.

Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

**United States Bankruptcy Court
Central District of California
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Wednesday, October 14, 2020

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11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#5.00 Cont'd status conference re: Management of chapter 11 case
fr. 6/3/20, 8/5/20, 9/9/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/9/20. No tentative ruling on the merits. Appearances are required on 10/14/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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CONT... Catherine Trinh

Chapter 11

will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

**United States Bankruptcy Court
Central District of California
Los Angeles
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Wednesday, October 14, 2020

Hearing Room 1675

11:30 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#6.00 Cont'd status conference re: Post confirmation of plan
fr. 6/24/20, 7/22/20, 9/30/20

Docket 119

Tentative Ruling:

Updated tentative ruling as of 10/9/20. No tentative ruling on the merits. Appearances are required on 10/14/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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CONT... People Who Care Youth Center, Inc. Chapter 11

will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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
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Courtroom 1675 Calendar**

Wednesday, October 14, 2020

Hearing Room 1675

1:30 PM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#7.00 Cont'd hearing re: Motion to pursuant to Local Bankruptcy Rule 2090-1(a)(1) to withdraw as counsel
fr. 8/4/2, 9/29/20

Docket 694

Tentative Ruling:

Revised and updated tentative ruling as of 10/13/20. Regarding the request of Creditor 7175 WB, LLC, to close the hearing to the public on the motion of its counsel to withdraw pursuant to LBR 2090-1(a), the court will first hear oral argument on the request since it was only filed on 10/10/20 and there has not been an opportunity for response, but the tentative ruling is to grant the request as follows. 7175 WB contends that an open hearing will prejudice it by revealing confidential communications between it and its counsel in discussing the evidence filed under seal during argument. While 7175 WB's request apparently contravenes the command of FRBP 5001(b) that "[a]ll trials and hearings shall be conducted in open court" because it seeks that the hearing be closed to the public, including counsel for debtor, the request is justified in that in the interests of allowing frank and candid discussion of the issues raised by the motion to withdraw, 7175 WB and its counsel would most likely discuss in argument their confidential attorney client communications and litigation strategy protected under both the attorney client privilege and the attorney work product doctrine since the motion to withdraw relates to the attorney client relationship and confidential communications between counsel and client. Public policy in vindicating the necessity to preserve confidentiality of these matters protected by these privileges outweighs the public interest in an open hearing on a matter that does not directly affect parties in the bankruptcy case other than counsel and this particular client. See *In re FiberMark, Inc.*, 330 B.R. 480, 497-503 (Bankr. D. Vt. 2005)(confidential attorney client and work product privileged matters may be shielded from public record disclosure as a matter of common law); see also, *In re 50-Off Stores, Inc.*, 213 B.R. 646, 650-660 (Bankr. W.D. Tex. 1997)(sealing order to protect confidential attorney client

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Chapter 11

and work product privileged matters from disclosure on public record is authorized pursuant to 11 U.S.C. 107(b)). Accordingly, the court will grant the request of 7175 WB to close the hearing to the public.

On the merits of the pending motion of counsel to withdraw, the tentative ruling is as follows: Trial courts have discretion to decide whether an attorney may withdraw from representing a client. *United States v. McKenna*, 327 F.3d 830, 843 (9th Cir. 2003). In assessing whether an attorney may withdraw as counsel, courts look to the state's substantive ethics rules. In *re Mortgage & Realty Trust*, 195 B.R. 740, 747-748 (Bankr. C.D. Cal. 1996). The California Rules of Professional Conduct ("CRPC") provide the substantive ethics rules in California. *Id.* The local rules of this court adopt the California Rules of Professional Conduct as the ethics rules applying to attorneys practicing before the court through Local Bankruptcy Rule 2090-2(a) and Local Civil Rule 83.-3.1.2 of the United States District Court for the Central District of California. Local Bankruptcy Rule 2091-1(a)(1) requires leave of the court for "[a]n attorney who has appeared on behalf of an entity in any matter concerning the administration of the case... to withdraw as counsel...." A lawyer may withdraw from representing a client if "the client breaches a material term of an agreement with, or obligation, to [sic] the lawyer... and the lawyer has given the client a reasonable warning after the breach that the lawyer will withdraw unless the client fulfills the agreement or performs the obligation." CRPC 1.16(b)(5) (effective June 1, 2020). Under the CRPC, a lawyer "shall not terminate a representation until the lawyer has taken reasonable steps to avoid reasonably foreseeable prejudice to the rights of the client, such as giving the client sufficient notice to permit the client to retain other counsel...." CRPC 1.16(d). In this case, counsel asserts that the client, 7175 WB, has not paid the agreed \$3,600 per month to be applied to the outstanding \$47,020.47 account receivable balance, which is a breach of the agreement between counsel and the client, 7175 WB. 7175 WB concedes that it has only "partially" paid counsel, but asserts that it has not paid counsel the remainder because counsel "has not completed performance of agreed upon services." ECF 695 at 5. Counsel asserts that "[t]here are no services for which [counsel] has been paid and which have not been performed." ECF 698, at 2 ¶ 11. As counsel stated in his declaration, both adversary proceedings "have been fully and finally

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CONT... Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

resolved and closed," and there "are no presently pending contested matters." ECF 694 at 5. 7175 WB disputes this point, stating that there are outstanding "contested matters," specifically, conclusion of uncompleted assignment documentation, suspension of plan payments by Debtor, giving rise to a plan default and other matters required to be concluded under the plan. Gelles Reply Declaration, ECF 699 at 5-6. In accord with CRPC 1.16(d), counsel has also offered to refer 7175 WB to locally based bankruptcy counsel and has "offered to assist any replacement counsel in connection with any matters that might immediately arise." ECF 694 at 5. 7175 WB contends that counsel "has not provided any referral to qualified and actually physically currently available locally-based bankruptcy counsel," but does not state why referrals must be "actually physically available" in order to be effective counsel. Counsel also states in his declaration that 7175 WB has never responded to his offers to find replacement counsel, and that prior to 7175 WB's Opposition, 7175 WB had never requested "actually physically currently available locally-based bankruptcy counsel." ECF 698, at 4 ¶ 16. Having reviewed the client fee agreement filed under seal, the court agrees with counsel that the evidence indicates that 7175 WB has materially breached the agreement in not making the agreed \$3,600 monthly payments to be applied to the outstanding account receivable balance, and the evidence before the court indicates that counsel gave the client reasonable warning of counsel's intent to withdraw and has taken reasonable steps to avoid reasonably foreseeable prejudice to the client's rights, including sufficient notice to the client to permit it to retain new counsel. Accordingly, counsel's motion to withdraw should be granted because counsel has satisfied the requirements of CRPC 1.16(b)(5) and (d) for permissive withdrawal.

Appearances are required on 10/14/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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CONT... **Swing House Rehearsal and Recording, Inc. and Philip** Chapter 11

conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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Party Information

Debtor(s):

Swing House Rehearsal and

Represented By
Steven R Fox

**United States Bankruptcy Court
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1:30 PM

2:17-23722 Kody Branch of California, Inc.

Chapter 7

#8.00 Cont'd hearing re: Chapter 7 trustee's omnibus objection to: Claim No. 11 - Shaoxing LeiLei Import & Export; Claim No. 12 - Cong Ty Tnhh Anh Chau; Claim No. 13 - Shaoxing Tuchang Knitting Textile; Claim No. 14 - Gia Phu Fashion Company; and Claim No. 15 - Cong Ty May Trinh Vuong
fr. 6/2/20, 6/9/20, 9/30/20

Docket 351

***** VACATED *** REASON: Cont'd from 1:30 p.m. to 2:00 p.m. per order entered on 10/8/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 10/13/20. These contested matters will be heard at 2:00 p.m. once the other matter on the 1:30 p.m. calendar is concluded. See tentative ruling for matter number 9 for the substantive tentative ruling on the matters.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

**United States Bankruptcy Court
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Los Angeles
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2:00 PM

2:17-23722 Kody Branch of California, Inc.

Chapter 7

#9.00 Cont'd hearing re: Chapter 7 trustee's omnibus objection to: Claim No. 11 - Shaoxing LeiLei Import & Export; Claim No. 12 - Cong Ty Tnhh Anh Chau; Claim No. 13 - Shaoxing Tuchang Knitting Textile; Claim No. 14 - Gia Phu Fashion Company; and Claim No. 15 - Cong Ty May Trinh Vuong
fr. 6/2/20, 6/9/20, 9/30/20

Docket 351

Tentative Ruling:

Revised and updated tentative ruling as of 10/13/20. The trustee's objections to the claims as amended of creditors Shaoxing Leilei Import & Export Co. (\$223,394.01), Cong Ty Tnhh Anh Chau (\$1,843,219.16), Shaoxing Tuchang Knitting Textile Co., Ltd. (\$323,430.14)(note: amended claim refers to Shaoxing Leilei Import & Export Co. as claimant, which appears to be a scrivener's error, as supporting documentation refers to Shaoxing Tuchang Knitting Textile Co., Ltd.), Gia Phu Fashion Co. (\$333,916.51), and Cong Ty May Trinh Vuong (\$1,036,668.79) pursuant to Federal Rule of Bankruptcy Procedure 3007 are contested matters pursuant to Federal Rule of Bankruptcy Procedure 9014. See *In re Garner*, 246 B.R. 617, 623 (9th Cir. BAP 2000), citing inter alia, Advisory Committee Note to Federal Rule of Bankruptcy Procedure 3007. The trustee, claimants and a creditor joining the trustee's objections have filed declarations and documentary evidence in support and in opposition to the objections. The trustee has filed evidentiary objections to the declarations and documentary evidence of the claimants with the expectations that the court will sustain his objections and determine that there are no genuine issues of material fact to preclude the court from determining that he is entitled to judgment as a matter of law that claimants have failed to meet their burden of proving the validity and amount of their claims. In order for the court to now rule in favor of the trustee and sustain his objections now, the court would have to determine that despite claimants' evidence, there are no genuine issues of material fact and that the trustee is entitled to judgment as a matter of law. In essence, this request is a motion for summary judgment under Federal Rule of Bankruptcy Procedure 7056, which applies to contested matters like these under Federal Rule of Bankruptcy Procedure 9014, but the trustee has not filed such a motion.

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Chapter 7

Even if the court were to sustain the trustee's evidentiary objections, it would seem to the court in the interest of fairness to allow claimants to cure the evidentiary objections to their evidence as Rule 9014 provides that "reasonable notice and opportunity for hearing shall be afforded to the party against whom relief is sought." Rule 9014 also provides that "[t]estimony of witnesses with respect to disputed material factual issues shall be taken in the same manner as testimony in an adversary proceeding" and that "[t]he court shall provide procedures that enable parties to ascertain at a reasonable time before any scheduled hearing whether the hearing will be an evidentiary hearing at which witnesses may testify." The trustee apparently believes that there are no genuine issues of material fact, if that is the case, then it should be determined upon a proper motion for summary judgment under Rule 7056. It appears that there are unresolved material factual issues that may require an evidentiary hearing to resolve, requiring the issuance of factual findings pursuant to Federal Rule of Bankruptcy Procedure 7052, and if so, then the court should set an appropriate schedule of pretrial and trial proceedings, especially considering the large dollar amounts of the objected to claims. The court is not sure that on this record, the trustee has shown that there are no genuine issues of material fact and that he is entitled to judgment as a matter of law on grounds that claimants have not their ultimate burden of proving the validity and amount of their claims. Moreover, the court is not so sure that the trustee is entitled to judgment as a matter of law that the claims should be barred under California law based on the statute of frauds and the statute of limitations on contractual breach claims as the claims are based on contracts involving parties of different contractual states, i.e., debtor as the buyer of goods is a California contract party, but the claimants as the seller of goods are foreign contract parties from China and Vietnam, and thus, it is unclear the choice of law governing the contracts between the parties. The trustee assumes that California law applies to the contracts because the buyer is a California party, but there is no evidence in the contracts themselves that California law governs these claims. It may be that the contracts may be governed by the law of China and/or Vietnam, where the claimants as the selling parties are located. Or the international sales contracts like these may be governed by international law, i.e., United Nations Convention on Contracts for the International Sale of Goods, S. Treaty Doc. No. 98-9 (1983), reprinted in 15 U.S.C.A. App. ("CISG"), cited in *Shantou Real Lingerie Manufacturing Co., Ltd. v. Native Group International*,

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CONT... Kody Branch of California, Inc. Chapter 7

Ltd., No. 14 Civ. 10246 (FM), 2016 WL 4532911 at *2-3 (S.D.N.Y. August 23, 2016), citing, Cedar Petrochemicals, Inc. v. Dongbu Hannong Chem. Co., No. 06 Civ. 3972 (LTS) (JCF), 2011 WL 4494602, at *3 (S.D.N.Y. Sept. 28, 2011) ("[The CISG] automatically applies to international sales contracts between parties from different contracting states[.] ... Where parties wish to exercise their right to derogate from the CISG, they must do so explicitly.") (internal quotation marks omitted) (quoting Zhejiang Shaoxing Yongli Printing & Dyeing Co. v. Microflock Textile Grp., No. 06 Civ. 22608 (JJO), 2008 WL 2098062, at *1 (S.D. Fla. May 19, 2008)); see also, Zierdt and Adams, "International Sales of Goods," 70 Bus. Law. 1269 (American Bar Association: Fall 2015); Adams and Zierdt, "International Sales of Goods," 2017-NOV Bus. L. Today 243 (American Bar Association: Nov. 2017). The parties have not addressed choice of law issues in their briefing, which have bearing on the arguments being made in the pleadings and raise unresolved legal and factual issues. The court believes that these contested matters of the trustee's objections to the claims of the claimants should be resolved by an evidentiary hearing or upon a motion for summary judgment in accordance with the applicable rules, Federal Rules of Bankruptcy Procedure 3007, 7052, 7056 and 9014, so that the factual and legal issues presented can be fully and fairly ventilated and determined.

Appearances are required on 10/14/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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CONT... Kody Branch of California, Inc.

Chapter 7

appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 9/25/20. The court will treat the objections to claims as contested matters under FRBP 9014 and will treat the hearing on 9/30/20 as a status conference. The parties should advise the court whether there are material issues of fact that require an evidentiary hearing. If so, the court will inquire with the parties as to an appropriate pretrial and trial schedule. If not, the court will discuss with the parties scheduling of a final hearing on the objections to hear arguments on the evidentiary objections asserted by the parties and on the merits of the objections. Appearances are required on 9/30/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 6/8/20. In response to the trustee's omnibus objections to claims, claimants through their attorney filed amended claims on 5/11/20 and 5/12/20. Pursuant to Rule 3001(f) of the Federal Rule of Bankruptcy Procedure (FRBP), proofs of claim executed and filed in accordance with the FRBP shall constitute prima facie evidence of the validity and amount of the claims. In reply, the trustee supported by declarations of Linda Lee and Michael Weinberg has rebutted the prima facie correctness of the amended proofs of claim by showing that the documents attached to the amended proofs of claim were fabricated and are not genuine. Moreover, in the court's view, the documents to support amended claims lack evidentiary

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 14, 2020

Hearing Room 1675

2:00 PM

CONT... Kody Branch of California, Inc.

Chapter 7

foundation as none of the documents attached in support of the amended claims are properly authenticated by someone with personal knowledge as required by Rules 602, 901 and 902 of the Federal Rules of Evidence, which tends to show that the objections to the claims have rebutted the prima facie correctness of the claims, and that the claimants bear the ultimate burden of proving the validity of their claims and should be prepared to show that they have met this burden at the hearing. In re Holm, 931 F.2d 620, 623 (9th Cir. 1991).

Appearances are required on 6/9/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling. Continued by stipulation and order to 6/2/20 at 2:30 p.m. No appearances are required on 4/28/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, October 15, 2020

Hearing Room 1675

9:00 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#1.00 REMOTE TRIAL BY ZOOM RE: Objection to claim number 4 by claimant US Bank National Association as Trustee for Velocity Commercial Capital Loan Trust 2014-1 fr. 4/15/20, 6/3/20, 8/4/20

Docket 115

***** VACATED *** REASON: Cont'd from 10/15/20 to 10/29/20 at 9:00 a.m. per order entered on 10/1/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 10/7/20. Off calendar. Continued to 10/29/20 at 9:00 a.m. by order entered on 10/1/20. No appearances are required on 10/15/20.

Party Information

Debtor(s):

Raesi Group, Inc

Represented By
Christopher P Walker

Movant(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, October 20, 2020

Hearing Room 1675

10:30 AM

2:20-15194 Danny Liwu He

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(Mercedes-Benz Financial Services USA LLC VS Debtor)

Docket 19

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 10/20/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Danny Liwu He

Represented By
Sam X J Wu

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 20, 2020

Hearing Room 1675

11:00 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#2.00 Pretrial technical status conference by ZOOM re: Objection to claim number 4 by claimant US Bank National Association as Trustee for Velocity Commercial Capital Loan Trust 2014-1
fr. 6/3/20, 8/4/20, 10/8/20

Docket 115

Tentative Ruling:

Supplemental tentative ruling as of 10/20/20: Regarding debtor's motion to stay proceedings, the court views it as not just a motion for a stay of the proceedings regarding the contested matter of debtor's objection to creditor's claim, but a motion for this court to abstain on ruling on the claim objection so that the state appellate court can decide debtor's pending appeal of the final judgment of the state trial court sustaining creditor's demurrers to debtor's state law claims against it. Abstention is governed by 28 U.S.C. 1334(c)(1) and (2) which falls into two categories: (1) mandatory abstention; and (2) permissive abstention. Mandatory abstention under 28 U.S.C. 1334(c)(2) is not appropriate because the stay motion filed on 10/7/20 is not timely as the objection to claim was filed on 3/27/19, over a year and a half ago, and meanwhile, the parties and the court have been diligently preparing for trial, and there is no evidence that the state court appeal can be timely adjudicated as it has been pending for almost two years since it was filed on 11/7/18. Permissive abstention under 28 U.S.C. 1334(c)(1) is based on a consideration of various factors set forth in *In re Tucson Estates, Inc.*, 912 F.2d 1162, 1166-1167 (9th Cir. 1990), and in this court's view, favoring denial of abstention since debtor initiated the subject litigation of objecting to creditor's claim, which is a core proceeding, though the substantive dispute involves a state law contractual claim, abstention affects the efficient administration of this case since debtor's reorganization plan has been confirmed and the contested matter of debtor's objection to creditor's claim is the only substantive matter left before this case may be fully administered and closed, a delay from abstention may not expeditiously resolve this contested matter as it is uncertain when the state appellate court will decide the appeal and the appeal may be denied with the issue of the amount of the claim is to be

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 20, 2020

Hearing Room 1675

11:00 AM

CONT...

Raesi Group, Inc

Chapter 11

resolved, debtor delayed seeking stay and abstention relief until the eve of trial while the parties and the court have been diligently preparing for trial and there is no prejudice to debtor in proceeding to trial because it will have its day in court on its objection.

Updated tentative ruling as of 10/16/29. The court notes that debtor has filed a motion to stay the proceedings relating to this contested matter of Debtor's objection to the claim of U.S. Bank National Association, as trustee for Velocity Commercial Capital Loan Trust 2014-1, which is noticed for hearing on October 28, 2020 at 11:00 a.m., the day before the scheduled trial on October 29, 2020.

The Court hereby provides notice to the parties to this contested matter that the Court will hold the technical pretrial status conference for the trial on the Debtor's objection to the claim of U.S. Bank National Association, as trustee for Velocity Commercial Capital Loan Trust 2014-1 on **October 20, 2020 at 11:00 a.m.**, which will be conducted via Zoom for Government. Participants will be connected to the courtroom using Zoom for Government but will not be physically present in the courtroom. Participants must connect to the Zoom for Government courtroom no later than 10:45 a.m. and check in with the law clerk/DECRO. If a trial participant is having problems connecting to the trial, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Hearing: October 20, 2020 at 11:00 a.m.

- a. Video. Utilize the following link:

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 20, 2020

Hearing Room 1675

11:00 AM

CONT...

Raesi Group, Inc

Chapter 11

<https://cacb.zoomgov.com/j/1616410638>

and insert **Meeting ID:** 161 641 0638 and **Password:** 557065

- b. Audio only. Audio-only participants must call into Zoom for Government by calling:

+1 669 254 5252, or +1 646 828 7666;

and insert **Meeting ID:** 161 641 0638 and **Password:** 557065

Updated tentative ruling as of 7/31/20. The court will further discuss with the parties scheduling of the trial. In light of the current surge of coronavirus cases in the area, as a precaution, the court is inclined to conduct the trial remotely by videoconferencing on Zoom and will set a technical pretrial conference to test the technical capabilities of the parties. Appearances are required on 8/4/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through August 31, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, October 20, 2020

Hearing Room 1675

11:00 AM

CONT... Raesi Group, Inc

Chapter 11

need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 5/28/20. No tentative ruling on the merits. The court will discuss proceeding with the evidentiary hearing remotely by videoconferencing in light of the current pandemic and has issued an order describing proposed remote trial procedures for the hearing. Appearances are required on 6/3/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 4/13/20. The court will call this matter first on the 11:00 a.m. calendar because this matter should not take much time to discuss as the other matters on calendar will be somewhat lengthy, and counsel should appear promptly at 11:00 a.m. to be heard, or otherwise, they might have to wait a long time for their matter to be heard, perhaps past noon.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 20, 2020

Hearing Room 1675

11:00 AM

CONT... Raesi Group, Inc

Chapter 11

In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the chief judge of the United States District Court for the Central District of California issued an Order of the Chief Judge No. 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court cannot conduct an in person trial in the courtroom until at least May 1, 2020. Moreover, the County of Los Angeles and City of Los Angeles have issued public health orders prohibiting public and private gatherings in their jurisdictions until at least April 19, 2020, which are likely to be extended, which orders may apply to the trial. The court schedules the status conference on 4/7/20 to discuss with the parties how a trial in the matter may be conducted and when possibly it can be scheduled. Given the current surge of coronavirus cases in the court and in the state and the need for appropriate social distancing, it would probably be prudent not to schedule so soon. In this court's view, a trial will not be scheduled earlier than 6/1/20. A court committee is being appointed to consider the conduct of video evidentiary hearings, but whether this is technically feasible and legally proper has not yet determined for this court yet.

Appearances are required on 4/15/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, October 20, 2020

Hearing Room 1675

11:00 AM

CONT... Raesi Group, Inc

Chapter 11

Prior tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion must and does vacate the evidentiary hearing for the contested matter of Debtor's objection to Claim No. 4 of U.S. Bank National Association as Trustee for Velocity Commercial Capital Loan Trust 2014-1 in this bankruptcy case scheduled for April 22, 2020 at 9:00 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012 because in person appearances are not permitted in the courthouse on that date. No appearances are required on April 22, 2020 at 9:00 a.m. as the evidentiary hearing on that date is vacated.

The court further on its own motion sets a status conference in this contested matter on April 15, 2020 at 11:00 a.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012. The purpose of the status conference is to discuss rescheduling the evidentiary hearing on the claim objection. Because the Roybal Federal Building is closed to the public on April 15, 2020 by the aforementioned order of the United States District Court, the parties to this contested matter and their counsel must appear telephonically at the status conference in accordance with the court's telephone appearance procedures posted online on the court's website.

Prior tentative ruling as of 3/9/20. Off calendar. The court vacated the hearing on 3/11/20 after resetting the matter for trial on 4/22/20 at 9:00 a.m. No appearances are required on 3/11/20.

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Tuesday, October 20, 2020

Hearing Room 1675

11:00 AM

CONT... Raesi Group, Inc

Chapter 11

Prior tentative ruling as of 1/16/20. Off calendar. Continued by stipulation and order to 2/28/20 at 10:00 a.m. No appearances are required on 1/17/20.

Prior tentative ruling as of 11/13/19. Off calendar. Evidentiary hearing on 11/15/19 vacated by order entered on 11/13/19, and telephonic status conference is set for 11/26/19 at 1:30 p.m. to reschedule evidentiary hearing if the parties are unable to stipulate to a continued hearing date and time. No appearances are required on 11/15/19.

Revised tentative ruling as of 10/2/19. Off calendar. Continued by stipulation and order to 11/15/19 at 9:00 a.m. No appearances are required on 10/4/19.

Prior tentative ruling as of 7/29/19. No tentative ruling on the merits. Appearances are required on 7/31/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. No tentative ruling on the merits. Appearances are required on 6/26/19.

Prior tentative ruling. Treat the motion objecting to claim as a contested matter under FRBP 9014 and set a schedule of pretrial proceedings, including discovery, since there are disputed issues of material fact. Parties should confer regarding an appropriate schedule if they can. Appearances are required on 5/8/19, but counsel may appear by telephone.

Creditor may be entitled to its claim for attorneys' fees under 11 U.S.C. 506(b) pursuant to contract based on its loan agreement secured by deed of trust, which were upheld as valid in the state court litigation. The four elements for a claim under 11 U.S.C. 506(b) are: (1) its claim is an allowed secured claim; (2) it is an oversecured creditor; (3) the fees it asserts are reasonable; and (4) the fees it asserts are provided for under an agreement under which such claim arose, or the fees are provided for under a state statute under which the creditor's claim arose. In re Astle, 364 B.R. 735, 741 (Bankr. D. Idaho 2007). The claim is an allowed secured claim based on the state court judgment, though the judgment is on appeal. The creditor is an oversecured creditor, which is not in dispute. The reasonableness of the fees it asserts is in material dispute. Creditor has only submitted redacted versions of its counsel's fee statements, which do not provide sufficient information for the

**United States Bankruptcy Court
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Tuesday, October 20, 2020

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11:00 AM

CONT... **Raeisi Group, Inc**

Chapter 11

court to review for reasonableness. Creditor must file unredacted versions, or submit unredacted versions in camera with a privilege log if creditor claims that the reacted matter is privileged. Debtor as the objecting party must carry its burden of explaining what in the fee statements are unreasonable or at least what would be reasonable under the circumstances. In re Koncicky, 2007 WL 7540997 (9th Cir. BAP 2007)(unpublished memorandum opinion) (citation omitted). Debtor has the responsibility to challenge the information and provide evidence controverting that produced by creditor. Id. Debtor has not met this burden. The fees that creditor asserts are provided by the loan agreement between it and its borrower providing for reasonable attorneys' fees if it incurs or pays to maintain, protect or enforce its rights under the loan agreement as secured by the deed of trust. Exhibits A and C to Favela Declaration. Case law in California allows such fees to be added to the balance under the promissory note secured by trust deed. Chacker v. JPMorgan Chase Bank, N.A., 27 Cal.App.5th 351, 356-358 (2018). However, there is no separate award of attorneys' fees authorized by statute, such as California Civil Code 1717 because debtor is not a signatory to the contract in the loan agreement and creditor has not otherwise shown that it would have been liable for the fees of the opposing party if the opposing party had prevailed. Asphalt Professionals, Inc. v. Davis (In re Davis), 595 B.R. 818, 837 (Bankr. C.D. Cal. 2019), citing, Dell Merk, Inc. v. Franzia, 132 Cal.App.4th 443, 441 (2005). Thus, creditor will need to submit fully unredacted copies of its fee statements to the court, and debtor will need to explain what in the fee statements are unreasonable and/or produce evidence showing that the fees are unreasonable.

Party Information

Debtor(s):

Raeisi Group, Inc

Represented By
Christopher P Walker

Movant(s):

Raeisi Group, Inc

Represented By
Christopher P Walker

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, October 20, 2020

Hearing Room 1675

11:00 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#2.10 Hearing re: United States Trustee's application to convert case based upon debtor's failure to comply with prior court order and converting case

Docket 209

***** VACATED *** REASON: Notice of voluntary dismissal filed on 10/19/20-mb.**

Tentative Ruling:

Off calendar. The application of the United States Trustee to convert case has been voluntarily dismissed by notice filed on 10/19/20. No appearances are required on 10/20/20.

Party Information

Debtor(s):

Raesi Group, Inc

Represented By
Lee Burrows

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, October 20, 2020

Hearing Room 1675

1:30 PM

2:11-35922 Victor Huevo

Chapter 7

Adv#: 2:11-02825 Ball v. Huevo

#3.00 Cont'd status conference: Discuss and schedule further proceedings in this adversary proceeding on remand fr. 9/15/20

Docket 296

Tentative Ruling:

Revised and updated tentative ruling as of 10/19/20. The court has reviewed the parties' joint status report stating that they disagree as to the date when prejudgment interest ends with respect to an amended judgment on remand. As to the date that prejudgment interest stops for an amended judgment on remand, the court believes that defendant's position is correct based on the unpublished opinion of the Ninth Circuit in *Barnard v. Theobald*, 649 Fed. Appx. 414, 416-417 (9th Cir. 2016), citing and quoting, *Planned Parenthood of the Columbia/Willamette Inc. v. Am. Coal. of Life Activists*, 518 F.3d 1013, 1018 (9th Cir.2008), stating that "[i]n *Kaiser Aluminum & Chemical Corp. v. Bonjorno*, 494 U.S. 827, 110 S.Ct. 1570, 108 L.Ed.2d 842 (1990)] and § 1961 explain how to determine the accrual date of post-judgment interest in the first instance." As stated in *Planned Parenthood of the Columbia/Willamette Inc. v. Am. Coal. of Life Activists*, "Kaiser Aluminum stands for the proposition that 28 U.S.C. § 1961 requires that postjudgment interest be calculated from a judgment in which damages are sufficiently ascertained." *Id.*, citing, *Am. Tel. & Tel. Co. v. United Comput. Sys., Inc.*, 98 F.3d 1206, 1210 (9th Cir.1996). The Ninth Circuit also stated that "[f]urther, we must consider whether "equitable principles favor calculating the interest in a manner that more fully compensates the prevailing party." *Barnard v. Theobald*, 649 Fed. Appx. 416, citing and quoting, *Am. Tel. & Tel. Co. v. United Comput. Sys., Inc.*, 98 F.3d at 1211. According to the Ninth Circuit, the court should consider two inquiries as to when prejudgment interest should end as between the date of entry of an original judgment or the date of entry of an amended judgment: "We are thus guided by two inquiries: (1) When were the damages sufficiently ascertained, and (2) Do equitable principles favor more fully compensating the prevailing party?" *Id.* Because the amount of the damages in this case were

**United States Bankruptcy Court
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Tuesday, October 20, 2020

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1:30 PM

CONT... Victor Huevo

Chapter 7

sufficiently ascertained in the original judgment, the original judgment stated that the damages were \$478,598.67, which was a slight overstatement of the correct damages of \$449,530.58 by 6.5% after the reduction of \$29,068.42 by the Bankruptcy Appellate Panel due to a credit not properly given to defendant from a distribution from the related bankruptcy case. In the court's view, the damages were sufficiently ascertained by the original judgment. Awarding prejudgment interest to the date of the original judgment, in the court's view, sufficiently compensates plaintiff as his damages were sufficiently ascertained by the original judgment, which only slightly overstated his damages due to an inadvertent failure to inform the court of a relatively small distribution credit.

The court notes that defendant filed a notice that he had filed a motion for limited remand with the Ninth Circuit on 10/15/20, stating that it was an open issue as to the date prejudgment interest should be calculated through, but the issue may be resolved at the status conference on 10/20/20. The parties should indicate if they want the court to rule on the issue at the status conference on 10/20/20, or whether they want to submit further briefing since the parties have not yet submitted briefing on the issue.

Appearances are required on 10/20/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange

**United States Bankruptcy Court
Central District of California
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Hearing Room 1675

1:30 PM

CONT...

Victor Huevo

Chapter 7

to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 9/14/20. The court has reviewed the joint status report, filed on 9/3/20, stating that the Ninth Circuit has issued an order to show cause regarding its jurisdiction in light of the Bankruptcy Appellate Panel's remand of the case to this court, and the court has reviewed defendant's response to the OSC filed on 9/8/20. It appears to the court to avoid the inefficiencies from a piecemeal appeal pointed out by defendant in its response to the circuit to the OSC, the parties could stipulate or move that the court issue an indicative ruling for an amended judgment pursuant to the BAP's mandate and Federal Rule of Civil Procedure 62.1 and Local Bankruptcy Rule 1001-1(e), so that pursuant to Federal Rule of Appellate Procedure 12.1, they can move the circuit for a limited remand to enter an amended judgment if the court lacks jurisdiction to enter the amended judgment now due to the pending appeal. See *Davis v. Yageo Corp.*, 481 F.3d 661, 685 (9th Cir. 2007). Appearances are required on 9/15/20 to discuss the status of the briefing on the Ninth Circuit's OSC and the jurisdiction of this court on remand in light of defendant's further appeal to the Ninth Circuit, but counsel and self-represented parties must appear by telephone.

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1:30 PM

CONT... Victor Huevo

Chapter 7

Party Information

Debtor(s):

Victor Huevo

Represented By
Baruch C Cohen

Defendant(s):

Victor Huevo

Represented By
M. Jonathan Hayes

Plaintiff(s):

Joey Ball

Represented By
Paul C Bauducco
Nicholas S Kanter

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, October 20, 2020

Hearing Room 1675

1:30 PM

2:18-11475 Catherine Trinh

Chapter 11

Adv#: 2:19-01506 Trinh v. Second Generation, a California corporation

#4.00 Cont'd status conference re: Complaint for: (1) declaratory relief; (2) avoidance and recovery of preferential transfer; (3) recovery of property; (4) preservation of a preferential transfer; and (5) disallowance of claim
fr. 3/24/20, 5/19/20, 7/21/20

Docket 1

Tentative Ruling:

Revised and updated tentative ruling as of 10/16/20. No tentative ruling on the merits. The parties should advise as to how further proceedings should be set now that it is not likely that the global settlement will go forward due to the pandemic as reported at the status conference in the main bankruptcy case on 10/14/20. Appearances are required on 10/20/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than

**United States Bankruptcy Court
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Tuesday, October 20, 2020

Hearing Room 1675

1:30 PM

CONT...

Catherine Trinh

Chapter 11

the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

Defendant(s):

Second Generation, a California

Pro Se

Plaintiff(s):

Catherine Trinh

Represented By
Alan W Forsley

**United States Bankruptcy Court
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Tuesday, October 20, 2020

Hearing Room 1675

1:30 PM

2:19-10246 Dean Henrik Okland

Chapter 11

Adv#: 2:19-01102 Sunderland et al v. Okland

#5.00 Cont'd status conference re: Complaint for: (1)-(3) exception to discharge of certain debts [11 U.S.C. §§523(a)(2)(A),(4) and (6); (4)-(7) denial of discharge as to all debts [11 U.S.C. §§727(a)(2)-(5)]
fr. 4/14/20, 6/2/20, 6/16/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/16/20. No tentative ruling on the merits. Appearances are required on 10/20/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled

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CONT... Dean Henrik Okland

Chapter 11

hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 6/12/20. No tentative ruling on the merits. The court and the parties will discuss setting a schedule of pretrial proceedings, including a discovery cutoff date, a post-discovery status conference date or a pretrial conference date. Appearances are required on 6/16/20, but counsel and self-represented parties must appear by telephone.

Party Information

Debtor(s):

Dean Henrik Okland

Represented By
Matthew D. Resnik
Roksana D. Moradi-Brovia

Defendant(s):

Dean Henrik Okland

Represented By
Roksana D. Moradi-Brovia

Plaintiff(s):

Jennifer Sunderland

Represented By
Kimberly Wright

James Farrow

Represented By
Kimberly Wright

**United States Bankruptcy Court
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Tuesday, October 20, 2020

Hearing Room 1675

1:30 PM

2:19-10246 Dean Henrik Okland

Chapter 7

Adv#: 2:19-01367 Bandy et al v. Okland

#6.00 Cont'd status conference re: Complaint to determine dischargeability of debt (11 U.S.C. §§523(a)(2)(A) and 523(a)(4) fr. 3/31/20, 4/14/20, 7/21/20

Docket 1

Tentative Ruling:

Revised and updated tentative ruling as of 10/16/20. The court has reviewed plaintiffs' unilateral status report stating that plaintiffs will be filing an amended complaint, but would like a 60 day continuance because there are settlement negotiations with a third party obligee which may have an impact on plaintiffs' damages in this litigation. No tentative ruling on the merits. Appearances are required on 10/20/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. Instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than

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CONT...

Dean Henrik Okland

Chapter 7

the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Updated tentative ruling as of 7/17/20. The court has reviewed plaintiff's unilateral status report stating that defendant has filed a notice of change of address indicating that he is now living in Georgia and that plaintiff will be filing an amended complaint. No tentative ruling on the merits. Appearances are required on 7/21/20, but counsel and self-represented parties must appear by telephone.

Party Information

Debtor(s):

Dean Henrik Okland	Pro Se
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Defendant(s):

Dean Henrik Okland	Pro Se
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Plaintiff(s):

Garrett Bandy	Represented By David S Hagen
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Heather Foster	Represented By David S Hagen
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Trustee(s):

Howard M Ehrenberg (TR)	Represented By Jeffrey S Shinbrot
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**United States Bankruptcy Court
Central District of California
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Tuesday, October 20, 2020

Hearing Room 1675

1:30 PM

2:19-22559 Eui Joon Park

Chapter 7

Adv#: 2:20-01023 Brad D. Krasnoff, Chapter 7 Trustee v. Park

#7.00 Cont's status conference re: Trustee's complaint: (1) to avoid and recover fraudulent transfer; (2) for turnover; and (3) for declaratory relief fr. 4/7/20

Docket 1

***** VACATED *** REASON: Cont'd from 10/20/20 to 12/15/20 at 1:30 p.m. per stip & order entered on 9/8/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 10/16/20. Off calendar. Continued by stipulation and order to 12/15/20 at 1:30 p.m. No appearances are required on 10/20/20.

Prior tentative ruling. Set a discovery cutoff date of 9/30/20 and a post-discovery status conference on 10/20/20 at 1:30 p.m. A joint status report is due on 10/13/20. Order the parties to mediation, and the parties are to file a request to select a mediator and an alternate mediator by 5/29/20 and complete mediation by 10/20/20. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Appearances are required on 4/7/20, but counsel must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

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1:30 PM

CONT... Eui Joon Park

Chapter 7

Debtor(s):

Eui Joon Park

Represented By
Young K Chang

Defendant(s):

Young Joo Park

Pro Se

Plaintiff(s):

Brad D. Krasnoff, Chapter 7 Trustee

Represented By
Sonia Singh

Trustee(s):

Brad D Krasnoff (TR)

Represented By
Zev Shechtman

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Hearing Room 1675

1:30 PM

2:20-11519 Ki Hyong Kim

Chapter 7

Adv#: 2:20-01181 Avery v. Yu et al

#8.00 Status conference re: Complaint to: (1.) AVOID CONSTRUCTIVE FRAUDULENT TRANSFER - 11 U.S.C. §544(b) AND CAL. CIV. CODE §§3439.05 AND 3439.07-09 (2.) AVOID CONSTRUCTIVE FRAUDULENT TRANSFER - 11 U.S.C. §544(b), CAL. CIV. CODE §§3439.04(a)(2)(A) and 3439.07-09; (3.) AVOID CONSTRUCTIVE FRAUDULENT TRANSFER - 11 U.S.C. §544(b), CAL. CIV. CODE §§3439.04(a)(2) (B) AND 3439.07-09; (4.) AVOID ACTUAL FRAUDULENT TRANSFER - 11 U.S.C. § 544(b), CAL. CIV. CODE §§3439.04(a)(1) AND 3439.07-09; (5.) AVOID TRANSFER - 11 U.S.C. § 544(b), FED. DEBT COLLECTION PROC. ACT OF 1990 (FDCPA), 28 U.S.C. §§ 3001 *ET SEQ.*; (6.) TURNOVER OF PROPERTY - 11 U.S.C. § 542(a); (7.) RECOVER AVOIDED TRANSFER AND ASSIGNMENT TO TRUSTEE - 11 U.S.C. §§550 AND 551; (8.) QUIET TITLE - CCP §760.010 *ET SEQ.*; (9.) REMOVE CLOUD ON TITLE - CAL. CIV. CODE §3412; (10.) DECLARATORY RELIEF- 11 U.S.C §541(a)(1) AND 22 U.S.C. §2201; (11.) INJUNCTION - 11 U.S.C. § 105(a); AND (12.) BAR RECOVERY OF AVOIDED TRANSFER - 11 U.S.C. §522(g)

Docket 1

***** VACATED *** REASON: Cont'd from 10/20/20 to 12/8/20 at 1:30 p.m.
per order entered on 10/14/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 12/8/20 at 1:30 p.m. No appearances are required on 10/20/20.

Party Information

Debtor(s):

Ki Hyong Kim

Represented By
Andrew Edward Smyth

Defendant(s):

Kyungmin Yu

Pro Se

Ki Hyong Kim

Pro Se

Plaintiff(s):

Wesley H. Avery

Represented By

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CONT... Ki Hyong Kim

Chapter 7

Brett B Curlee

Trustee(s):

Wesley H Avery (TR)

Pro Se

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2:00 PM

2:19-20416 Susie L Wong

Chapter 7

#9.00 Cont'd hearing re: Amended motion to avoid lien under 11 U.S.C. §522(f) (real property) with Sequoia Concepts, Inc. dba Sequoia Financial Services fr. 5/26/20, 8/4/20, 9/8/20

Docket 54

Tentative Ruling:

Updated tentative ruling as of 10/16/20. The court has reviewed the unilateral status report of counsel for debtor, stating that he is having difficulty communicating with his client and that he will be filing a motion to withdraw as counsel for debtor. The court is inclined to continue the hearing on the pending motion to avoid lien in light of the anticipated motion to withdraw, and will set a further status conference on this matter in about 60 days to ascertain if debtor will retain new counsel or represent herself on the pending motion. Appearances are required on 10/20/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone

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2:00 PM

CONT...

Susie L Wong

Chapter 7

before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 9/3/20. No tentative ruling on the merits. The court will discuss the appointment of a replacement appraiser to evaluate the subject property for the adjudication of the motion. While the trustee has filed a notice of abandonment of the property, any abandonment does not apparently affect the pending lien avoidance motion, though the parties may be heard on this at the hearing. Appearances are required on 9/8/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 7/31/20. The court will discuss with counsel the status of the appraiser jointly selected by the parties and appointed by the court. The court intends to set a further status conference in order for the parties with sufficient time for the parties to review and consider the appraisal report and then to discuss scheduling an evidentiary hearing if the parties are unable to consensually resolve the matter. No tentative ruling on the merits. Appearances are required on 8/4/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling. Treat the amended motion to avoid lien of Creditor Sequoia Concepts, Inc., as a contested matter under FRBP 9014 because there are disputed issues of material fact regarding valuation of the subject property and the liens attached thereto. The parties have filed evidence of conflicting valuation of the subject property at \$740,000 based on the declaration of a real estate broker for Debtor and \$945,000 based on a declaration of real estate broker for Creditor. The value of the property at \$770,000 based on the trustee's "acceptance" of an offer to sell the property

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Chapter 7

based on the trustee's declaration filed on 1/8/20 is not conclusive because there has been no sale of the property to deem that value as the fair market value of the property for purpose of Debtor's lien avoidance motion as no motion for sale has been filed by the trustee. There are also factual issues regarding the value of the unavoids liens on the property. The first lien of Encore is valued at \$366,799.14 based on a notice of trustee's sale dated 8/6/19 attached as Exhibit 4 to the amended motion, which value does not appear to be in dispute. The second lien of Oxford Property, LLC is valued at \$110,000 based on the stipulation between the trustee and Oxford fixing the value of the lien, though Debtor asserts the value in the motion to be \$200,090, which was disputed by the trustee, leading to the settlement between trustee and Oxford. The court is of the view that the value of Oxford's lien is the \$110,000 which was the agreed value between it and the trustee, though Debtor might disagree, which may raise a disputed issue of material fact. The value of the California Franchise Tax Board liens is \$29,069.15, which is the value of its secured claim on its proof of claim filed in this case. However, Debtor asserts that the Franchise Tax Board liens should be valued at \$12,144.89, \$14,440.62 and \$19,208.07, totaling \$45,793.58, which may present a disputed issue of material fact. The value of the Internal Revenue Service liens is \$180,817.59, which is the value of its secured claim on its proof of claim filed in this case. However, Debtor asserts that the IRS liens should be valued at \$63,204.00, \$116,383.14 and \$22,351.77, totaling \$201,938.91, which may present a disputed issue of material fact. In the court's view, the values of the taxing authorities' liens stated on the proofs of claim should be the values for purposes of the motion because the proofs of claim are what the claimants assert are their claims on the petition date and are prima facie evidence of the validity and amount of the claims pursuant to Federal Rule of Bankruptcy Procedure 3001(f). There is no evidence that rebuts the prima facie correctness of the filed proofs of claim of the FTB and IRS. The court's computation of the unavoids liens of Encore (\$366,799.14), Oxford (\$110,000), FTB (\$29,069.15) and IRS (\$180,817.59), which total \$686,685.88. Adding Debtor's claim of \$175,000 as her homestead exemption yields a total of \$861,168.88, which would indicate no available equity for Sequoia's lien to attach if the value of the property is \$740,000, but available equity of \$83,831.12 if the value of the property is \$945,000 which is

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Chapter 7

sufficient for Sequoia's lien valued at \$21,840.46 to attach. The amount of available equity for Sequoia's lien would be increased if the court accords credence to Debtor's assertions in her declaration that she is an "innocent spouse" not responsible for her late husband's tax liabilities, so that presumably, she is not liable for his tax liabilities, and thus, the property is not subject to his tax liens, which would apparently mean that the tax lien amounts should not be considered in determining available equity for Sequoia's lien to attach. Debtor's assertions that she is not liable for the taxes may also raise a disputed issue of material fact in valuing the unavowed liens against the property (if the court disregards the tax liens, then under either valuation, there is sufficient equity for Sequoia's lien to attach). The conflicting valuation evidence raises disputed issues of material fact that generally requires an evidentiary hearing because the court has to make credibility determinations as to the valuation opinions. The parties could call their valuation witnesses as witnesses at a hearing, and they may want to take discovery as the broker for Creditor has not inspected the property, and the court can make a determination after hearing their testimony, or the parties could waive their right to an evidentiary hearing, and the court can decide valuation, and the motion, on the papers, or the parties could stipulate to what this court would call the Judge Zurzolo method of valuation that the court appoints an independent appraiser to value the property, and the parties split the cost of the fees for the court appointed expert pursuant to Federal Rule of Evidence 706. The court cannot decide the motion on the papers without an evidentiary hearing unless both parties consent to waive their right to an evidentiary hearing.

Appearances are required on 5/26/20, but counsel and self-represented parties must appear by telephone.

Party Information

Debtor(s):

Susie L Wong

Represented By
Chi L Ip

Movant(s):

Susie L Wong

Represented By

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CONT... Susie L Wong

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Chi L Ip

Susie L Wong

Represented By
Chi L Ip

Susie L Wong

Represented By
Chi L Ip

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
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Tuesday, October 20, 2020

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2:30 PM

2:17-18962 Alexander Yulish

Chapter 7

#10.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Brad Krasnoff, Chapter 7 Trustee]

Docket 141

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the trustee's final report and fee application, the court determines that oral argument on the final report and fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final report and fee application, rules on the final report and fee application on the papers, and approves the final report and fee application for the reasons stated in the final report and fee application and for lack of timely written opposition. No appearances are required on 10/20/20. Trustee to lodge a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Alexander Yulish

Represented By
Daniel A Lev

Trustee(s):

Brad D Krasnoff (TR)

Represented By
Sonia Singh
Eric P Israel

**United States Bankruptcy Court
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Tuesday, October 20, 2020

Hearing Room 1675

2:30 PM

2:17-18962 Alexander Yulish

Chapter 7

#11.00 Hearing re: Application for fees and expenses
[Menchaca & Company LLP, Accountant for Chapter 7 Trustee]

Docket 137

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the final fee application of accountant for the trustee, the court determines that oral argument on the final fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final fee application, rules on the final fee application on the papers, and approves the final fee application for the reasons stated in the final fee application and for lack of timely written opposition. No appearances are required on 10/20/20. Applicant or trustee to lodge a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Alexander Yulish

Represented By
Daniel A Lev

Trustee(s):

Brad D Krasnoff (TR)

Represented By
Sonia Singh
Eric P Israel

**United States Bankruptcy Court
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2:30 PM

2:17-18962 Alexander Yulish

Chapter 7

#12.00 Hearing re: Application for fees and expenses
[Danning, Gill, Israel & Krasnoff, LLP, Attorney for Chapter 7 Trustee]

Docket 138

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the final fee application of general bankruptcy counsel for the trustee, the court determines that oral argument on the final fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final fee application, rules on the final fee application on the papers, and approves the final fee application for the reasons stated in the final fee application and for lack of timely written opposition. No appearances are required on 10/20/20. Applicant or trustee to lodge a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Alexander Yulish

Represented By
Daniel A Lev

Trustee(s):

Brad D Krasnoff (TR)

Represented By
Sonia Singh
Eric P Israel

**United States Bankruptcy Court
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Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#1.00 Cont'd hearing re: Motion for order approving disclosure statement describing chapter 11 plan of reorganization
fr. 6/24/20, 8/5/20, 8/18/20

Docket 257

Tentative Ruling:

Revised and updated tentative ruling as of 10/19/20. No tentative ruling on the merits in light of the objection of administrative expense creditor Law Offices of Michael Jay Berger. Debtor should discuss when he would be able to refinance his real property to pay administrative expense claimants since they all have to consent to the proposed treatment of their claims pursuant to 11 U.S.C. 1129(a)(9)A). The plan should incorporate the mandatory language of LBR 3020-1(b) referring to revesting of property of the reorganized debtor in a Chapter 7 estate if the case is converted to Chapter 7 for a postconfirmation default. The plan should correct typographical and spelling errors, such as plan date of "October 7, 2010," or the court being the "Los Angele Division" or the court address of "155 E. Temple St" in the case caption for the plan. Appearances are required on 10/21/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court.

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Charles Peters

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CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Giovanni Orantes
Luis A Solorzano

**United States Bankruptcy Court
Central District of California
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Wednesday, October 21, 2020

Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#2.00 Cont'd status conference re: Management of chapter 11 case
fr. 8/18/20, 8/18/20, 9/2/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/19/20. No tentative ruling on the merits. Appearances are required on 10/21/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 21, 2020

Hearing Room 1675

11:00 AM

CONT... Charles Peters

Chapter 11

telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Giovanni Orantes
Luis A Solorzano

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 21, 2020

Hearing Room 1675

11:00 AM

2:18-14665 Hugo Hernandez

Chapter 11

#3.00 Cont'd status conference re: Post confirmation of plan
fr. 4/29/20, 6/3/20, 8/5/20

Docket 113

Tentative Ruling:

Revised and updated tentative ruling as of 10/20/20. The court has reviewed debtor's declaration filed on 10/20/20 as a follow-up to the post-confirmation status report, filed on 10/7/20, stating that he is current on plan obligations and that he needs more time to address issues with certain creditors before he will be able to file a motion for final decree, requesting a short continuance of the status conference. Having considered debtor's declaration and status report, the court on its own motion continues the status conference to 12/2/20 at 11:00 a.m., waives the requirement of a written status report for 12/2/20 and debtor may report on status orally at that time. No appearances are required on 10/21/20.

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, October 21, 2020

Hearing Room 1675

11:30 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#4.00 Cont'd status conference re: Motion for order disallowing proof of claim no. 7-1 filed by Ghazer Zehnaly
fr. 6/8/20, 7/15/20, 7/22/20

Docket 343

***** VACATED *** REASON: Cont'd from 10/21/20 to 10/28/20 at 11:00 a.m. per stip & order entered on 10/19/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 10/19/20. Off calendar. Continued by stipulation and order to 10/28/20 at 11:00 a.m. No appearances are required on 10/21/20.

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, October 21, 2020

Hearing Room 1675

11:30 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#5.00 Cont'd status conference re: Management of chapter 11 case
fr. 7/8/20, 7/15/20, 7/22/20

Docket 1

***** VACATED *** REASON: Cont'd from 10/21/20 to 10/28/20 at 11:00
a.m. per stip & order entered on 10/19/20-mb**

Tentative Ruling:

Updated tentative ruling as of 10/19/20. Off calendar. Continued by stipulation and order to 10/28/20 at 11:00 a.m. No appearances are required on 10/21/20.

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**

Thursday, October 22, 2020

Hearing Room 1675

2:00 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.

#1.00 Cont'd pretrial conference re: Application of Sam S. Leslie, plan agent, for issuance of order approving the issuance of writ of execution and appointment of plaintiff as substitute custodian for U.S. Marshal in furtherance of execution of writ and notice of levy; and for order approving sale of artworks free and clear of any claim of lien or interest
fr. 5/14/20, 8/19/20, 9/2/20

Docket 713

Tentative Ruling:

Updated tentative ruling as of 10/21/20. Off calendar. The court has granted the plan agent's motion to continue the pretrial conference and continues the pretrial conference to 10/28/20 at 3:00 p.m. No appearances are required on 10/22/20.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye
Alan I Nahmias

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

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, October 22, 2020

Hearing Room 1675

2:00 PM

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
Ronald Rus
Fahim Farivar
Brian L Davidoff
Keith Patrick Banner

Jennifer Kellen

Represented By
J. Bennett Friedman

Michael D. Smith

Represented By
Brian L Davidoff

Kamran Gharibian

Represented By
Brian L Davidoff

Daryoush Dayan

Represented By
Brian L Davidoff

Cathay Bank, a California

Represented By
Ekwan E Rhow
Elliot C Harvey Schatmeier

Jennifer Kellen

Represented By
Michael D Sobkowiak

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**

Thursday, October 22, 2020

Hearing Room 1675

2:00 PM

CONT... Art and Architecture Books of the 21st Century

Chapter 11

Sam Leslie

Represented By

Victor A Sahn

Carolyn A Dye

David J Richardson

Jason Balitzer

Steven Thomas

Stephen Sorensen

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 27, 2020

Hearing Room 1675

10:30 AM

2:20-16351 Ivan Salvador Palafox

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(Ruben David Santillan VS Debtor)

Docket 10

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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. No appearances are required on 10/27/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Ivan Salvador Palafox

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, October 27, 2020

Hearing Room 1675

10:30 AM

2:20-18053 Efrain Hernandez

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Santander Consumer USA Inc. VS Debtor)

Docket 9

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 10/27/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Efrain Hernandez

Represented By
Michael R Totaro

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 27, 2020

Hearing Room 1675

10:30 AM

2:20-18411 Anthony Grincerì and Audrey Grincerì

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(Bank of the West VS Debtors)

Docket 9

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion as indicated by the statement of non-opposition filed by debtors, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 10/27/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Grincerì

Represented By
Stirling J Hopson

Joint Debtor(s):

Audrey Grincerì

Represented By
Stirling J Hopson

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, October 27, 2020

Hearing Room 1675

10:30 AM

2:20-18505 Alex S Lee

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(Financial Services Vehicle Trust VS Debtor)

Docket 12

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 10/27/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Alex S Lee

Represented By
Young K Chang

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, October 27, 2020

Hearing Room 1675

11:00 AM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:12-01830 Clark v. Farris-Ellison et al

#5.00 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. 5/20/20, 7/15/20, 9/23/20

Docket 351

Tentative Ruling:

Updated tentative ruling as of 10/22/20. See tentative ruling for item number 13.

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, October 27, 2020

Hearing Room 1675

11:00 AM

CONT... Rita Gail Farris-Ellison

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 27, 2020

Hearing Room 1675

11:00 AM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:12-01830 Clark v. Farris-Ellison et al

#6.00 Cont'd hearing re: Plaintiff/creditor, James Lee Clark's notice of motion to compel further discovery responses to defendant/debtor Rita Gail Ellison-Farris fr. 5/20/20, 7/15/20, 9/23/20

Docket 377

Tentative Ruling:

Updated tentative ruling as of 10/22/20. See tentative ruling for item number 13.

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, October 27, 2020

Hearing Room 1675

11:00 AM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:12-01830 Clark v. Farris-Ellison et al

#7.00 Cont'd 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 fr. 5/20/20, 7/15/20, 9/23/20

Docket 397

Tentative Ruling:

Updated tentative ruling as of 10/22/20. See tentative ruling for item number 13.

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

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 27, 2020

Hearing Room 1675

11:00 AM

CONT... Rita Gail Farris-Ellison

Chapter 7

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, October 27, 2020

Hearing Room 1675

11:00 AM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:12-01830 Clark v. Farris-Ellison et al

#8.00 Cont'd hearing re: Motion to abstain
fr. 5/20/20, 7/15/20, 9/23/20

Docket 414

Tentative Ruling:

Updated tentative ruling as of 10/22/20. See tentative ruling for item number 13.

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, October 27, 2020

Hearing Room 1675

11:00 AM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:12-01830 Clark v. Farris-Ellison et al

#9.00 Cont'd 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 fr. 5/20/20, 7/15/20, 9/23/20

Docket 412

Tentative Ruling:

Updated tentative ruling as of 10/22/20. See tentative ruling for item number 13.

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**

Tuesday, October 27, 2020

Hearing Room 1675

11:00 AM

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**

Tuesday, October 27, 2020

Hearing Room 1675

11:00 AM

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 to amend adversary complaint and to add Jennifer, quiet title, cancel the deed and note
fr. 5/20/20, 7/15/20, 9/23/20

Docket 399

Tentative Ruling:

Updated tentative ruling as of 10/22/20. See tentative ruling for item number 13.

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, October 27, 2020

Hearing Room 1675

11:00 AM

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: Plaintiff/creditor James Lee Clark's motion for an order for sanctions including terminating sanctions against defendant/debtor Rita Ellison-Farris fr. 5/20/20, 7/15/20, 9/23/20

Docket 362

Tentative Ruling:

Updated tentative ruling as of 10/22/20. See tentative ruling for item number 13.

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

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 27, 2020

Hearing Room 1675

11:00 AM

CONT... Rita Gail Farris-Ellison

Chapter 7

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, October 27, 2020

Hearing Room 1675

11:00 AM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:12-01830 Clark v. Farris-Ellison et al

#12.00 Cont'd hearing re: Plaintiff/creditor, James Lee /Clark's notice of motion to compel inspection and to produce documents and response from and to defendant/debtor Rita Gail Ellison-Farris; request for terminating sanctions fr. 5/20/20, 7/15/20, 9/23/20

Docket 390

Tentative Ruling:

Updated tentative ruling as of 10/22/20. See tentative ruling for item number 13.

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

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 27, 2020

Hearing Room 1675

11:00 AM

CONT... Rita Gail Farris-Ellison

Chapter 7

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, October 27, 2020

Hearing Room 1675

11:00 AM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:12-01830 Clark v. Farris-Ellison et al

- #13.00** Pretrial 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. 5/20/20, 7/15/20, 9/23/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/22/20. No tentative ruling on the merits. Appearances are required on 10/27/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 27, 2020

Hearing Room 1675

11:00 AM

CONT... Rita Gail Farris-Ellison

Chapter 7

reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling. No tentative ruling on the merits. Since the parties attended mediation, which did not result in settlement, the court will discuss setting a pretrial conference and a deadline for filing a joint pretrial stipulation. The court will also discuss how the trial will be conducted because the court is not conducting in person hearings at this time. The court may conduct the trial on Zoom depending on the parties' technical capabilities. Appearances are required on 9/23/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, October 27, 2020

Hearing Room 1675

11:00 AM

CONT... Rita Gail Farris-Ellison

Chapter 7

before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, October 27, 2020

Hearing Room 1675

11:00 AM

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, October 27, 2020

Hearing Room 1675

11:00 AM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:14-01088 Clark v. Farris-Ellison

#14.00 Pretrial 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. 5/20/20, 7/15/20, 9/23/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/22/20. See tentative ruling for item number 13.

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, October 27, 2020

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 Cont'd pretrial conference re: Complaint for the avoidance and recovery of fraudulent transfers
fr. 5/5/20, 6/30/20, 9/1/20

Docket 1

***** VACATED *** REASON: Notice of dismissal filed on 9/1/20; Adv. closed on 9/25/20-mb.**

Tentative Ruling:

Off calendar. The status conference is moot since the adversary proceeding is now dismissed. No appearances are necessary.

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, October 27, 2020

Hearing Room 1675

1:30 PM

2:16-15692 Rama Krishna Chaparala

Chapter 7

Adv#: 2:18-01124 Ehrenberg v. Chaparala

#16.00 Cont'd pretrial conference re: Complaint for the avoidance and recovery of fraudulent transfers
fr. 5/5/20, 6/30/20, 9/1/20

Docket 1

***** VACATED *** REASON: Dismissed by stip & order entered on 9/2/20;
Adv. closed on 10/2/20-mb.**

Tentative Ruling:

Off calendar. The status conference is moot since the adversary proceeding is now dismissed. No appearances are necessary.

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, October 27, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01435 Goodrich v. Amazon Loan Services

- #17.00** Cont'd status conference re: Complaint for: 1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; 2) Recovery of property pursuant to 11 U.S.C. § 550; 3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; 4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and 5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 7/21/20, 9/1/20, 9/29/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/22/20. Trustee has filed a motion to approve compromise of this adversary proceeding in the main bankruptcy case, and on 10/6/20, filed a proof of service of the motion on additional service parties, apparently waiting for the time for a request for hearing to pass before filing a declaration of non-opposition and a notice of lodgment of a proposed order for granting of the motion if no request for hearing is filed. No tentative ruling on the merits. Appearances are required on 10/27/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021,

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 27, 2020

Hearing Room 1675

1:30 PM

CONT... SOCALDEAL INC

Chapter 7

CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Amazon Loan Services

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 27, 2020

Hearing Room 1675

1:30 PM

2:18-22570 Ashley Latimer

Chapter 7

Adv#: 2:19-01284 Avery v. Latimer, III

#18.00 Cont'd status conference re: Complaint: (1) To Avoid Preferences and Recover Fraudulently Transferred Property 11 U.S.C. §§ 544(b); 550; Federal Debt Collection Procedures Act of 1990 (FDCPA), 28 U.S.C. §§ 3001, et seq; (2) For Avoidance of Transfer Under 11 U.S.C. § 544(a)93); (3) For Recovery of Avoided Transfers Under 11 U.S.C. § 550; and (4) To Preserve Transfer for the Benefit of the Estate Pursuant to 11 U.S.C. § 551
fr. 1/7/20, 3/3/20, 9/1/20

Docket 1

***** VACATED *** REASON: Adversary dismissed by stip & order entered on 10/14/20-mb.**

Tentative Ruling:

Off calendar. The status conference is moot since the adversary proceeding is now dismissed. No appearances are necessary.

Party Information

Debtor(s):

Ashley Latimer

Represented By
Lane K Bogard

Defendant(s):

Robert Whitney Latimer II

Pro Se

Plaintiff(s):

Wesley H. Avery

Represented By
David M Goodrich

Trustee(s):

Wesley H Avery (TR)

Represented By
Ryan W Beall
David M Goodrich

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 27, 2020

Hearing Room 1675

1:30 PM

2:18-23326 Alfred Lee Stringer

Chapter 7

Adv#: 2:19-01053 Lee et al v. Stringer

#19.00 Cont'd pretrial conference re: Adversary complaint for determination of dischargeability and objection to debtor's discharge pursuant to 11 U.S.C. §§ 523(a)(2)(A) and 523(a)(6), for attorney's fees and costs
fr. 12/03/19, 9/1/20, 9/08/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/22/20. No tentative ruling on the merits. Appearances are required on 10/27/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 27, 2020

Hearing Room 1675

1:30 PM

CONT... Alfred Lee Stringer

Chapter 7

scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Updated tentative ruling as of 9/3/20. No tentative ruling on the merits. The parties, including defendant, with or without new counsel, should appear to discuss a schedule for filing a joint pretrial stipulation and for resetting the date of the pretrial conference. Appearances are required on 9/8/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 8/28/20. Off calendar. The court on its own motion continues the pretrial conference to 9/8/20 at 2:30 p.m. to be conducted with the hearing on motion of counsel for defendant to withdraw in this adversary proceeding, which motion may have an impact on how the pretrial conference will proceed. No appearances are required on 9/1/20.

Prior tentative ruling as of 12/2/19. No tentative ruling on the merits. Appearances are required on 12/3/19, 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 8/26/19. No tentative ruling on the merits. Appearances are required on 8/27/19, 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. Appearances are required on 4/30/19 to address why monetary sanctions of \$100 should not be imposed each on counsel for plaintiffs and defendant who is self-represented for failure to file a joint status report as required by Local Bankruptcy Rule 7016-1 and the court's order setting initial status conference filed and entered on 2/21/19.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 27, 2020

Hearing Room 1675

1:30 PM

CONT... Alfred Lee Stringer

Chapter 7

Debtor(s):

Alfred Lee Stringer Pro Se

Defendant(s):

Alfred Lee Stringer Pro Se

Plaintiff(s):

Mylaunna Lee Represented By
Albert L Chaney III

Sharlet Marie Lee Represented By
Albert L Chaney III

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 27, 2020

Hearing Room 1675

1:30 PM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

Adv#: 2:18-01375 Vance v. Zacky & Sons Poultry, LLC

#20.00 Cont'd status conference re: Class action adversary proceeding complaint [violation of Worker Adjustment and Retraining Notification Act, 29 U.S.C. §§ 2101-2109 and California Labor Code §§ 1400 et seq.]
fr. 8/27/19, 4/28/20, 8/4/20

Docket 1

***** VACATED *** REASON: Cont'd from 10/27/20 to 1/19/21 at 1:30 p.m.
per stip & order entered on 10/14/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 1/19/21 at 1:30 p.m. No appearances are required on 10/27/20.

Party Information

Debtor(s):

Zacky & Sons Poultry, LLC

Represented By
Ron Bender
Juliet Y Oh
Todd M Arnold
Lindsey L Smith

Defendant(s):

Zacky & Sons Poultry, LLC

Pro Se

Plaintiff(s):

Karen Vance

Represented By
Gail L Chung
Jack A Raisner
Rene S Roupinian
Robert N Fisher

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 27, 2020

Hearing Room 1675

1:30 PM

2:19-10246 Dean Henrik Okland

Chapter 7

Adv#: 2:19-01410 Dorfman v. Okland

#21.00 Cont'd status conference re: Complaint to determine dischargeability of debt (11 U.S.C. §§523(a)(2)(A) and 523(a)(4) fr. 3/31/20, 5/26/20, 8/4/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/22/20. Off calendar. The court has reviewed plaintiff's unilateral status report stating that he is preparing to file a motion for default judgment by 11/10/20. Based on this representation, the court on its own motion continues the status conference to 11/17/20 at 1:30 p.m. to allow additional time for plaintiff to finish his preparation of a motion for default judgment. No appearances are required on 10/27/20.

Prior tentative ruling as of 7/31/20. Off calendar. The court has reviewed plaintiff's unilateral status report stating that he is preparing to file a motion for default judgment, but the gathering of documents in support thereof is taking longer than anticipated in light of the current situation, though he is hopeful that the motion can be filed within 60 days. Based on these representations, the court on its own motion continues the status conference to 10/27/20 at 1:30 p.m. to allow time for plaintiff to finish his preparation of a motion for default judgment. No appearances are required on 8/4/20.

Prior tentative ruling as of 5/22/20. Appearances are required on 5/26/20 to discuss the status of plaintiff's motion for default judgment and when other further proceedings should be set, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 3/20/20. Off calendar. The court has reviewed plaintiff's unilateral status report filed on 3/16/20, stating that he will be filing a motion for default judgment shortly. The court on its own motion continues the status conference for about 60 days to 5/26/20 at 1:30 p.m. to allow time for plaintiff to prepare and file his motion for default judgment. No appearances are required on 3/31/20.

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, October 27, 2020

Hearing Room 1675

1:30 PM

CONT... Dean Henrik Okland

Chapter 7

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report. Set a discovery cutoff date of 2/28/20, and a post-discovery status conference on 3/31/20 at 1:30 p.m. with a joint status report due on 3/24/20. These dates will likely be moot if a motion for default judgment is filed and ruled upon in the meantime. Appearances are optional on 11/19/19, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Dean Henrik Okland Pro Se

Defendant(s):

Dean Henrik Okland Pro Se

Plaintiff(s):

Chuck Dorfman Represented By
David S Hagen

Trustee(s):

Howard M Ehrenberg (TR) Represented By
Jeffrey S Shinbrot

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 27, 2020

Hearing Room 1675

1:30 PM

2:13-26021 L Scott Apparel Inc.

Chapter 11

Adv#: 2:15-01122 Howard Grobstein as Liquidating Trustee of L. Scot v. Sharron et al

#21.10 Status conference re: Resolution of the adversary proceeding

Docket 257

Tentative Ruling:

Off calendar. The status conference is moot since the adversary proceeding is now dismissed. No appearances are necessary.

Party Information

Debtor(s):

L Scott Apparel Inc.

Represented By
David W Levene
Kurt Ramlo
Paul J Kurtzhall

Defendant(s):

Lowell S. Sharron

Represented By
Lloyd S Mann

Beyond Basics, LLC dba Daily

Represented By
Lloyd S Mann

Plaintiff(s):

Howard Grobstein as Liquidating

Represented By
Brian L Davidoff
Courtney E Norton
Lori L Werderitch
Keith Patrick Banner

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 27, 2020

Hearing Room 1675

1:30 PM

2:17-21018 Prototype Engineering & Manufacturing, Inc.

Chapter 7

Adv#: 2:19-01332 Avery v. Leya Technologies, LLC et al

- #21.20** Cont'd status conference re: Plaintiff's complaint for: (1) avoidance of actual fraudulent transfers; (2) avoidance of constructive fraudulent transfers; (3) recovery of avoided transfers; (4) breach of fiduciary duty; (5) recovery of prohibited distributions; (6) unjust enrichment; (7) aiding and abetting breach of fiduciary duty; and (8) substantive consolidation of certain defendants with the debtor's estate
fr. 7/21/20, 9/29/20, 10/13/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/22/20. No tentative ruling on the merits. Appearances are required on 10/27/20 to discuss the status of documentation of pending settlement between the parties, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 27, 2020

Hearing Room 1675

1:30 PM

CONT... **Prototype Engineering & Manufacturing, Inc.** Chapter 7

the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Prototype Engineering &

Represented By
Carol Chow

Defendant(s):

Leya Technologies, LLC

Pro Se

Bahram Bordbar

Pro Se

Malahat Bordbar

Pro Se

Sara Bordbar

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
Carmela Pagay

Trustee(s):

Wesley H Avery (TR)

Represented By
Timothy J Yoo
Carmela Pagay
Lindsey L Smith
Irving M Gross

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 27, 2020

Hearing Room 1675

2:00 PM

2:18-11148 Jong J Kim

Chapter 7

Adv#: 2:18-01134 Shon et al v. Kim et al

#22.00 Pretrial 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. 5/5/20, 6/16/20, 8/18/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/22/20. No tentative ruling on the merits. Appearances are required on 10/27/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 27, 2020

Hearing Room 1675

2:00 PM

CONT...

Jong J Kim

Chapter 7

Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Updated tentative ruling as of 8/14/20. No tentative ruling on the merits. Since the status conference was continued due to the failure of one counsel to appear and the court decided not to sanction the attorney for his nonappearance, the court expects that counsel has met and confer regarding rescheduling further proceedings in this matter to be discussed at the status conference on 8/18/20. Appearances are required on 8/18/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 27, 2020

Hearing Room 1675

2:00 PM

CONT...

Jong J Kim

Chapter 7

scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 6/12/20. No tentative ruling on the merits. Appearances are required on 6/16/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Updated tentative ruling as of 5/1/20. No tentative ruling on the merits. Appearances are required on 5/5/20 to discuss the status of the adversary proceeding, including the status of mediation and settlement negotiations and if not settled, when a pretrial conference should be set, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief Judge No. 20-042). Counsel and self-represented parties must arrange their

**United States Bankruptcy Court
Central District of California
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Hearing Room 1675

2:00 PM

CONT...

Jong J Kim

Chapter 7

telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Prior tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion continues the status conference in this adversary proceeding scheduled for March 31, 2020 at 1:30 p.m. to May 5, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference is continued to May 5, 2020 at 1:30 p.m. in Courtroom 1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012. Counsel for plaintiff is ordered to give notice to the other parties.

Prior tentative ruling as of 10/21/19. Appearances are required on 10/22/19, but counsel may appear by telephone.

tentative ruling as of 6/24/19. Schedule a pretrial conference for this adversary proceeding if the matter is not being settled. Appearances are required on 6/25/19, but counsel may appear by telephone.

Prior tentative ruling as of 3/25/19. The court has reviewed the stipulation of the parties regarding continuance of scheduled dates and hearings filed on 2/27/19 and based on that stipulation, set a new discovery cutoff date of 5/29/19 and a post-discovery status conference on 6/25/19 at 1:30 p.m. (status conferences are held on Tuesdays at 1:30 p.m.) with a joint status

**United States Bankruptcy Court
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Tuesday, October 27, 2020

Hearing Room 1675

2:00 PM

CONT...

Jong J Kim

Chapter 7

report due on 6/18/19. Order the matter to mediation, and the parties to file a selection of mediator and alternate mediator by 4/15/19 and complete mediation by 6/25/19. No appearances are required on 9/18/18. Plaintiffs to submit a proposed scheduling order within 7 days.

Prior 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.

Party Information

Debtor(s):

Jong J Kim

Represented By
M Teri Lim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 27, 2020

Hearing Room 1675

2:00 PM

CONT... Jong J Kim

Chapter 7

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, October 27, 2020

Hearing Room 1675

2:30 PM

2:14-17378 Phillip P Garcia and Misty M Garcia

Chapter 7

#23.00 Cont'd hearing re: Objection to proofs of claim of the Novak Law Firm, P.C., claim nos. 3-1 and 3-2
fr. 8/4/20, 10/6/20

Docket 30

Tentative Ruling:

Updated tentative ruling as of 10/22/20. Off calendar. The hearing is moot because claimants filed a withdrawal of their proofs of claim on 10/14/20. No appearances are required on 10/27/20.

Party Information

Debtor(s):

Phillip P Garcia

Represented By
Lauren Rode

Joint Debtor(s):

Misty M Garcia

Represented By
Lauren Rode
Sean M Novak

Trustee(s):

Wesley H Avery (TR)

Represented By
Alan I Nahmias
Scott H Noskin

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 27, 2020

Hearing Room 1675

2:30 PM

2:19-17759 SAP DIGITAL CORP.

Chapter 7

#24.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Howard M. Ehrenberg, Chapter 7 Trustee]

Docket 36

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the trustee's final report and fee application, the court determines that oral argument on the final report and fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final report and fee application, rules on the final report and fee application on the papers, and approves the final report and fee application for the reasons stated in the final report and fee application and for lack of timely written opposition. No appearances are required on 10/27/20. Trustee to lodge a proposed order within 7 days of hearing.

Party Information

Debtor(s):

SAP DIGITAL CORP.

Represented By
Jonathan J. Lo

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 27, 2020

Hearing Room 1675

2:30 PM

2:19-17759 SAP DIGITAL CORP.

Chapter 7

#25.00 Hearing re: Application for fees and expenses
[Menchaca & Company LLP, Accountant for Chapter 7 Trustee]

Docket 34

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the final fee application of accountant for the trustee, the court determines that oral argument on the final fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final fee application, rules on the final fee application on the papers, and approves the final fee application for the reasons stated in the final fee application and for lack of timely written opposition. No appearances are required on 10/27/20. Applicant or trustee to lodge a proposed order within 7 days of hearing.

Party Information

Debtor(s):

SAP DIGITAL CORP.

Represented By
Jonathan J. Lo

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 27, 2020

Hearing Room 1675

2:30 PM

2:19-24787 Bradley Edward Barnes

Chapter 7

Adv#: 2:20-01064 WVJP 2017-1, LP v. Barnes et al

#26.00 Hearing re: Motion for Rule 9011 sanctions against Chora Young LLP and attorneys Paul P. Young, Esq. and Joseph Chora, Esq.

Docket 17

***** VACATED *** REASON: Cont'd from 10/27/20 to 12/1/20 at 2:30 p.m.
per stip and order entered on 10/14/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 12/1/20 at 2:30 p.m. No appearances are required on 10/27/20.

Party Information

Debtor(s):

Bradley Edward Barnes

Represented By
Susan I Montgomery

Defendant(s):

Bradley Edward Barnes

Represented By
Susan I Montgomery

Allison Platz Barnes

Represented By
Susan I Montgomery

Joint Debtor(s):

Allison Platz Barnes

Represented By
Susan I Montgomery

Plaintiff(s):

WVJP 2017-1, LP

Represented By
Joseph Chora
Cameron H Totten

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, October 27, 2020

Hearing Room 1675

2:30 PM

2:19-24787 Bradley Edward Barnes

Chapter 7

Adv#: 2:20-01064 WVJP 2017-1, LP v. Barnes et al

#27.00 Hearing re: Motion to dismiss the complaint and/or for a more definite statement under Fed.R.Bankr.P. 7009

Docket 14

***** VACATED *** REASON: Cont'd from 10/27/20 to 12/1/20 at 2:30 p.m.
per stip and order entered on 10/14/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 12/1/20 at 2:30 p.m. No appearances are required on 10/27/20.

Party Information

Debtor(s):

Bradley Edward Barnes

Represented By
Susan I Montgomery

Defendant(s):

Bradley Edward Barnes

Represented By
Susan I Montgomery

Allison Platz Barnes

Represented By
Susan I Montgomery

Joint Debtor(s):

Allison Platz Barnes

Represented By
Susan I Montgomery

Plaintiff(s):

WVJP 2017-1, LP

Represented By
Joseph Chora
Cameron H Totten

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, October 27, 2020

Hearing Room 1675

2:30 PM

2:19-24787 Bradley Edward Barnes

Chapter 7

Adv#: 2:20-01064 WVJP 2017-1, LP v. Barnes et al

#28.00 Cont'd status conference re: Complaint for 1. for false pretenses, a false representation or actual fraud pursuant to 11 U.S.C. §523(a)(6); in the alternative 2. for false pretenses, a false representation or actual fraud pursuant to 11 U.S.C. §523(a)(2)(A); 3. for false pretenses, a false representation or actual fraud pursuant to 11 U.S.C. §523(a)(2)(B); 4. for willful and malicious injury Y 11 U.S.C. §523(a)(6); 5. for determination that defendant's debts are not dischargeable pursuant to 11 U.S.C. §727(a)(2); 6. for a determination that defendant's debts are not dischargeable pursuant to 11 U.S.C. §727(a)(3); 7. for a determination that defendant's debts are not dischargeable pursuant to 11 U.S.C. §727(a)(4); and 8. for a determination that defendant's debts are not dischargeable pursuant to 11 U.S.C. §727(a)(5)
fr. 6/16/20, 8/18/20, 10/6/20

Docket 1

Tentative Ruling:

Off calendar. The court on its own motion continues the status conference to 12/1/20 at 2:30 p.m. to be conducted with continued hearings on defendant's motion to dismiss and for sanctions as it appears that the parties contemplated that the status conference on the same day as the hearings on the motions which were continued would also be continued, although the status conference was not specifically referenced in the stipulation. No appearances are required on 10/27/20.

Party Information

Debtor(s):

Bradley Edward Barnes

Represented By
Susan I Montgomery

Defendant(s):

Bradley Edward Barnes

Pro Se

Allison Platz Barnes

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 27, 2020

Hearing Room 1675

2:30 PM

CONT... Bradley Edward Barnes

Chapter 7

Joint Debtor(s):

Allison Platz Barnes

Represented By
Susan I Montgomery

Plaintiff(s):

WVJP 2017-1, LP

Represented By
Joseph Chora

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 27, 2020

Hearing Room 1675

2:30 PM

2:20-17348 Brenda Fay Williams

Chapter 7

#29.00 Hearing re: Motion to Redeem Property of the Estate under 11 U.S.C. Section 722

Docket 11

***** VACATED *** REASON: Voluntary dismissal of motion filed on
10/14/20-mb.**

Tentative Ruling:

Off calendar. Debtor filed a voluntary dismissal of her motion on 10/14/20.
No appearances are necessary.

Party Information

Debtor(s):

Brenda Fay Williams

Represented By
Christopher Andre Rosette

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, October 28, 2020

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. 3/11/20, 5/13/20, 8/5/20

Docket 1

***** VACATED *** REASON: Cont'd from 10/28/20 to 12/2/20 at 11:00
a.m. per stip & order entered on 10/22/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 10/26/20. Off calendar. Continued by stipulation and order to 12/2/20 at 11:00 a.m. No appearances are required on 10/28/20.

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, October 28, 2020

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#2.00 Hearing re: Motion under 11 U.S.C. §1112(b)(1) to convert, dismiss or appoint a chapter 11 trustee

Docket 698

***** VACATED *** REASON: Resolved by stip & order entered on 10/26/20-mb.**

Tentative Ruling:

Revised and updated tentative ruling as of 10/26/20. Off calendar. The motion is resolved by stipulation and order which also takes the hearing off calendar. No appearances are required on 10/28/20.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar
Shane J Moses

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 28, 2020

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#2.10 Cont'd status conference re: Motion for order disallowing proof of claim no. 7-1 filed by Ghazer Zehnaly
fr. 7/15/20, 7/22/20, 10/21/20

Docket 343

Tentative Ruling:

Updated tentative ruling as of 10/26/20. The court will call this matter no earlier than 11:30 a.m. because the matters in this case will require extended hearing and there are already many other matters on the 11:00 hearing calendar. No tentative ruling on the merits. Appearances are required on 10/28/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 28, 2020

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, October 28, 2020

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#2.20 Cont'd status conference re: Management of chapter 11 case
fr. 7/15/20, 7/22/20, 10/21/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/26/20. The court will call this matter no earlier than 11:30 a.m. because the matters in this case will require extended hearing and there are already many other matters on the 11:00 hearing calendar. No tentative ruling on the merits. Appearances are required on 10/28/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 28, 2020

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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 28, 2020

Hearing Room 1675

11:00 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#3.00 Hearing re: Debtor's motion to stay bankruptcy court proceedings pending resolution of appeal in Raesi Group, Inc.

Docket 213

***** VACATED *** REASON: Cont'd from 10/28/20 to 11/10/20 at 11:00 a.m. per order entered on 10/22/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 10/26/20. Off calendar. Continued to 11/10/20 at 11:00 a.m. by order entered on 10/22/20. No appearances are required on 10/28/20.

Party Information

Debtor(s):

Raesi Group, Inc

Represented By
Lee Burrows

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 28, 2020

Hearing Room 1675

11:00 AM

2:18-21789 Samuel Marquez

Chapter 11

#4.00 Cont'd technical pretrial conference re: Objection to claim no.1 filed by the Internal Revenue Service
fr. 6/10/20, 7/8/20, 9/16/20

Docket 39

Tentative Ruling:

Updated tentative ruling as of 10/26/20. No tentative ruling on the merits. Appearances are required on 10/28/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 28, 2020

Hearing Room 1675

11:00 AM

CONT... Samuel Marquez

Chapter 11

operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 9/11/20. No tentative ruling on the merits. Appearances are required on 9/16/20 to discuss the status of the mediation which the court had ordered, but counsel and self-represented parties must appear by telephone. The hearing will be conducted as a status conference, and not a pretrial conference.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, October 28, 2020

Hearing Room 1675

11:00 AM

CONT... Samuel Marquez

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Revised tentative ruling as of 7/7/20. No tentative ruling on the merits. Since the court approved the order referring the matter to mediation on 7/6/20, the court will discuss scheduling the mediation proceedings and sequencing with the evidentiary hearing. Parties to advise if they have been able to schedule an appointment with the selected mediator. Appearances are required on 7/8/20, but counsel and self-represented parties must 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, October 28, 2020

Hearing Room 1675

11:00 AM

2:18-21789 Samuel Marquez

Chapter 11

#5.00 Cont'd status conference re: Management of chapter 11 case
fr. 6/10/20, 7/8/20, 9/16/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/26/20. No tentative ruling on the merits. Appearances are required on 10/28/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large

**United States Bankruptcy Court
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Wednesday, October 28, 2020

Hearing Room 1675

11:00 AM

CONT... Samuel Marquez

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385. Updated tentative ruling as of 9/11/20. No tentative ruling on the merits. Appearances are required on 9/16/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, October 28, 2020

Hearing Room 1675

11:00 AM

CONT... Samuel Marquez

Chapter 11

Revised tentative ruling as of 7/7/20. No tentative ruling on the merits.
Appearances are required on 7/8/20, but counsel and self-represented parties
must 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, October 28, 2020

Hearing Room 1675

11:00 AM

2:19-10119 David Lee

Chapter 11

#6.00 Cont'd hearing re: Motion for order approving disclosure statement
fr. 8/5/20, 9/9/20, 9/23/20

Docket 318

Tentative Ruling:

Revised and updated tentative ruling as of 10/26/20. No tentative ruling on the merits in light of conditional objection of creditor LoanCare, LLC, asserting that it is oversecured, but that plan understates the value of its lien and the collateral. According to this creditor, the parties have discussed a stipulation regarding treatment of its claim, but none has been executed yet. The court has reviewed the plan and disclosure statement and notes that they address the court's concerns raised as to the first amended plan and disclosure statement stated in the tentative ruling on 9/22/20 at the last hearing on the disclosure statement on 9/23/20. Appearances are required on 10/28/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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CONT...

David Lee

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need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Further revised and updated tentative ruling as of 9/22/20. The court notes that since the last hearing, debtor has reached tentative agreement with the two secured creditors which objected to his disclosure statement. Debtor and Rehabbers Financial filed a stipulation on 9/16/20 that the creditor would refrain from objecting to the first amended disclosure statement, if certain language was included in the amended disclosure statement, but reserving any right to object to plan confirmation. Debtor and Green Lawn filed a joint statement on 9/21/20 that they have reached a tentative agreement as to plan treatment of Green Lawn's secured claim, provided that such language for such treatment is included in the disclosure statement before the hearing on 9/23/20, but as of 9/21/20, the language has not yet been included in the disclosure statement.

Because the Dunsmuir property was debtor's residence as of the petition date, the rights of the holders of claims secured only by a security interest in that property are protected by the anti-modification provisions of 11 U.S.C. 1123(b)(5), namely, the secured claims of U.S. Bank and Coral Mortgage Holdings, see *In re Abdelgadir*, 455 B.R. 896 (9th Cir. BAP 2011), and the court cannot confirm a plan containing such modifications in violation of the Bankruptcy Code under 11 U.S.C. 1129(a). Accordingly, the proposed five modifications of the rights of those claims should be deleted, though debtor may properly cure or obtain waiver of defaults based on those rights in this case under 11 U.S.C. 1123(a)(5)(G).

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Debtor must include in the disclosure statement, plan and/or plan confirmation order the mandatory language of LBR 3020-1(b) that property of the reorganized debtor or successor in interest vests in the Chapter 7 estate if the case is converted to Chapter 7.

Regarding the professional compensation enforcement provisions in Exhibit H, which are apparently additional contractual provisions subject to California law, the unilateral attorneys' fee recovery provision is subject to California Civil Code 1717, which makes it bilateral and awardable only to the prevailing party, and only reasonable attorneys' fees are awardable as recovery costs under California Code of Civil Procedure 1033.5(a)(10)(A), (B) and (C). Counsel must also explain the rationale for the proposed 10 percent interest rate on the judgment for professional compensation awarded on a final basis in this case since the award of fees will be a federal judgment and the federal postjudgment rate under 28 U.S.C. 1961 is less than 10 percent, i.e., the weekly average 1-year constant maturity (nominal) Treasury yield, as published by the Federal Reserve System.

The language regarding the treatment of Class 12 general unsecured claims (page 15 of the Plan and page 29 of the disclosure statement) needs to be clarified. The liquidation analysis on page 47 of the disclosure statement states that 100 percent of Class 12 claims will be paid, but the treatment stated on page 29 of the plan does not state that. Page 29 states that it depends on the outcome of the Class 7 claimholder election and the outcome of claim objections. The language should specify a minimum distribution with estimates based on certain outcomes relating to the Class 7 claimholder election and the outcome of claim objection litigation. Also, the treatment on page 20 does not specify when claims will be paid other than in "equal monthly installments" without stating the duration of payments, i.e., when they start and when they end, or over a specified number of months. The treatment refers to the Exhibit G , Plan Spreadsheet, but that does not show the duration of the plan payments since the financial and payment information is lumped into yearly totals for the last three years of the plan.

The language of Section II.D.6, Creditors Enjoined During Plan (page 20 of

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the Plan and pages 34-35 of the disclosure statement) is problematic. The reference to "interested parties" is vague and ambiguous, and should refer to "creditors, interest holders and other parties in interest" as in the court's form Chapter 11 plan, that is, creditors who are mainly affected by this provision should be specifically identified. This language should be revised.

The reference to Section 362(a) of the Bankruptcy Code should be more specific as in the court's form Chapter 11 plan that creditors, interest holders and other parties in interest may not take action to enforce preconfirmation obligations, or any obligations under the plan, so long as the debtor is not in material default of the plan. Creditors and other parties should not have to look up Section 362(a) to see what they can do. If debtor wants to refer to Section 362(a) as well, that is okay since the stay is in effect until the estate property reverts in the reorganized debtor upon entry of the final decree pursuant to the plan, but the plan should specify what are the restrained actions, and once the final decree is entered, the stay is no longer in effect as the discharge injunction would apply.

The language restraining creditors from "taking any actions . . . which may impede or interfere with the implementation or administration of this Plan" is vague and ambiguous as what a creditor may believe is vindicating its rights, debtor may consider to be impeding or interfering with the plan, and thus very debatable. This provision should be revised. The plan language should state that creditors cannot take action to enforce their preconfirmation obligations or plan obligations unless debtor is in material default as in the court's form Chapter 11 plan.

There is no authority for the provision that if creditors seek relief from this provision and relief is denied, debtor is entitled to his legal fees and costs which may not be set off against any claim. Such provision is inconsistent with the American Rule, and if there is a statute or rule that provides for fees and costs, it would be to a prevailing party. This provision should be stricken.

From the court's form Chapter 11 plan, F3018-1.CH11.PLAN:

D. Actions Restrained. Creditors, interest holders and other parties in interest may not take any action to enforce preconfirmation obligations, or any obligations due under this Plan, so long as Debtor is not in material default

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David Lee

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under this Plan (as defined below). If Debtor is in material default under this Plan, then any party in interest may: (1) take any action permitted under nonbankruptcy law either (a) to enforce the terms of this Plan as a contract of Debtor or (b) to pursue nonbankruptcy remedies including collection of the entire nondischarged dollar amount of any claim held by such person, or (2) if this case is still pending, move to dismiss this case or to convert this case to one under chapter 7, or seek other relief from the bankruptcy court. If this case is converted to chapter 7 at any time, then property will revert in the chapter 7 estate, and the automatic stay will be reimposed upon the reverted property only to the extent that relief from stay was not previously granted by the court during this case.

E. Material Default Defined. If Debtor (1) fails to make any payment required under this Plan, or (2) fails to perform any other obligation required under this Plan for more than 14 days after the time specified in this Plan, or (3) performs any act that is inconsistent with the terms of this Plan, then any affected creditor, interest holder, or other party in interest may file and serve upon Debtor and Debtor's attorney (if any) a written notice of default at their most recent address(es) listed in this case. Debtor is in material default under this Plan if Debtor fails within 21 days after service of that notice of default, plus an additional 3 days if served by mail, either to cure the default or obtain from the court an extension of time to cure the default or a determination that no material default occurred. Notwithstanding the other provisions of this paragraph, to the extent that Debtor has assumed an executory contract or unexpired lease, or to the extent that a creditor retains a lien under this Plan that was a consensual lien, the default provisions of that contract, lease, or lien documentation govern what constitutes a default for purposes of the rights and remedies thereunder, all subject to applicable nonbankruptcy law and any exceptions set forth in this Plan.

Otherwise, no tentative ruling on the merits. It would be helpful if the amended disclosure statement is approved, the parties should advise whether this will be a contested plan confirmation proceeding, such as regarding disputes over plan treatment of specific claims, plan feasibility, cramdown interest rates or property valuation. Appearances are required on 9/23/20, but counsel and self-represented parties must appear by telephone.

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Chapter 11

Prior tentative ruling as of 9/4/20. The court notes that debtor filed his amended disclosure statement and plan on 9/3/20. At the last hearing on the original disclosure statement, counsel for debtor stated that the disclosure statement would be amended to address the concerns of objecting creditors and to obtain their consent. The responding parties should indicate whether the amended disclosure statement may proceed with consent, or whether additional time is needed to respond to the amended disclosure statement or whether they object. Otherwise, no tentative ruling on the merits at this time. Appearances are required on 9/9/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling. Since debtor acknowledges in his reply to the objections of creditors that he will need to make revisions to the disclosure statement to address the objections to these documents, the court will defer a ruling on the disclosure statement until these revisions are made. Debtor will need to resolve the disputes regarding the amount of the secured claims of the objecting creditors either informally as indicated by debtor with respect to Green Lawn or by claim objections under FRBP 3007 with respect to both creditors if he cannot reach an agreement. Contrary to debtor's statements in the disclosure statement, disputes over the amounts of the secured claims are not going to be resolved in hearings on the disclosure statement or plan, but through consensual resolution, a claim objection under FRBP 3007, a motion to value secured claim under FRBP 3012 or an adversary proceeding to determine validity and extent of lien under FRBP 7001. In re Dynamic Brokers, Inc., 293 B.R. 489 (9th Cir. BAP 2003); see also, FRBP 3012(b) (determination of amount of a secured claim may be made by motion, a claim objection or Chapter 12 or 13 plan, which rule does not include a Chapter 11 plan). As indicated in the reply, debtor will agree to revise the disclosure statement and plan to address some of the concerns raised by the objecting creditors, but not as to others. The court agrees with debtor in part that certain objections raised by the creditors are issues to be determined at plan confirmation, such as cramdown interest rate, feasibility, good faith and absolute priority test satisfaction. Appearances are required on 8/5/20, but counsel and self-represented parties must appear by telephone.

Party Information

Debtor(s):

David Lee

Represented By

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2:19-10119 David Lee

Chapter 11

#7.00 Cont'd status conference re: Management of chapter 11 case
fr. 8/19/20, 9/9/20, 9/23/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/26/20. No tentative ruling on the merits. Appearances are required on 10/28/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large

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CONT... David Lee

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 9/21/20. No tentative ruling on the merits. Appearances are required on 9/23/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**CONT... David Lee
894-3385.**

Chapter 11

Party Information

Debtor(s):

David Lee

Represented By
Renee E Sanders

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2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#7.10 Cont'd status conference re: Post confirmation of plan
fr. 7/22/20, 9/30/20, 10/14/20

Docket 119

Tentative Ruling:

Revised and updated tentative ruling as of 10/27/20. The court has reviewed the status report filed by debtor reporting that it is now pursuing a loan refinancing transaction for its real property to pay creditors rather than a sale. Debtor has filed an application for a hearing of its motion to modify plan on shortened notice, but provided no authority for the court to hear the plan modification motion on less than 21 days notice required by FRBP 2002(a)(5). Otherwise, no tentative ruling on the merits. Appearances are required on 10/28/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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CONT... People Who Care Youth Center, Inc.

Chapter 11

reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

People Who Care Youth Center, Inc.

Represented By
John-Patrick M Fritz
David B Golubchik

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11:00 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#7.11 Hearing re: Motion for order establishing sale procedures for sale of debtor's assets free and clear of all liens, claims, encumbrances and other interests pursuant to 11 U.S.C. § 363

Docket 222

Tentative Ruling:

Updated tentative ruling as of 10/26/20. No tentative ruling will be issued for the matter heard on shortened notice. Appearances are required on 10/28/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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CONT... People Who Care Youth Center, Inc.

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operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

People Who Care Youth Center, Inc.

Represented By
John-Patrick M Fritz
David B Golubchik

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1:00 PM

2:14-29611 Nikolay Machevsky

Chapter 7

#7.20 Hearing re: Motion under F.R.C.P. Rule 60(b)(1), (3) and (6) to set aside one portion of entered order (1) Approving Compromise; (2) Authorizing Trustee to Transfer Real Property Free and Clear of Liens and Interests; (3) Requiring Debtor to Turn over Real Property of the Estate; and (4) Authorizing Trustee to Utilize U.S. Marshal and Other Law Enforcement

Docket 73

Tentative Ruling:

No tentative ruling will be issued for the motion heard on shortened notice. Appearances are required on 10/28/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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Nikolay Machevsky

Chapter 7

scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Nikolay Machevsky

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Nancy H Zamora

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Hearing Room 1675

1:30 PM

2:13-17409 Ayers Bath (U.S.A.), Co.,Ltd.

Chapter 7

#8.00 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. 7/14/20, 7/21/20, 8/4/20

Docket 118

***** VACATED *** REASON: Cont'd from 10/28/20 to 12/2/20 at 1:30 p.m.
per order entered on 10/14/20-mb**

Tentative Ruling:

Updated tentative ruling as of 10/26/20. Off calendar. Continued by stipulation and order to 12/2/20 at 1:30 p.m. No appearances are required on 10/28/20.

Prior tentative ruling as of 7/31/20. Since discovery as extended ended on 7/17/20, the court will set the matter for a conference. The court requests that counsel review and be thoroughly familiar with Local Bankruptcy Rule 7016-1 regarding preparation of a pretrial stipulation to be submitted for the pretrial conference. The court will discuss scheduling of the pretrial conference and will preliminarily discuss the conduct of the trial which may be remotely by videoconferencing in light of the Covid-19 pandemic. Appearances are required on 8/4/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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In order to appear for the court hearing by telephone, you will need to arrange

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Hearing Room 1675

1:30 PM

CONT... Ayers Bath (U.S.A.), Co.,Ltd.

Chapter 7

to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through August 31, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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
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2:30 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.

#9.00 Cont'd hearing re: Motion to compel discovery
fr. 10/29/20

Docket 763

***** VACATED *** REASON: Cont'd from 10/28/20 to 11/18/20 at 2:30
p.m. per stip & order entered on 10/27/20-mb.**

Tentative Ruling:

Revised and updated tentative ruling as of 10/27/20. Off calendar. Continued by stipulation and order to 11/18/20 at 2:30 p.m. No appearances are required on 10/28/20.

Prior tentative ruling as of 10/26/20. The court is not inclined to rule on the motion to compel discovery at this time because the motion is not ripe for adjudication as compliance with LBR 7026-1(c) requiring a joint discovery dispute stipulation is lacking. Also, apparently, the parties have not had a discovery dispute conference pursuant to LBR 7026-1(c). Preliminarily, the same concerns regarding movant's FRBP 2004 examination of the plan agent and the reorganized debtor are probably applicable here either based on issue preclusion or the law of the case doctrine. Otherwise, no tentative ruling on the merits, and the court is inclined to continue or vacate the hearing so that the parties may comply with LBR 7026-1(c). Appearances are required on 10/28/20, but counsel and self-represented parties must appear by telephone.

**TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS
MATTER:**

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CONT... Art and Architecture Books of the 21st Century Chapter 11

telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye
Alan I Nahmias

Defendant(s):

Ace Gallery New York Corporation,

Represented By
Alan W Forsley

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, October 28, 2020

Hearing Room 1675

2:30 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
Ronald Rus
Fahim Farivar
Brian L Davidoff
Keith Patrick Banner

Jennifer Kellen

Represented By
J. Bennett Friedman

Michael D. Smith

Represented By
Brian L Davidoff

Kamran Gharibian

Represented By
Brian L Davidoff

Daryoush Dayan

Represented By
Brian L Davidoff

Cathay Bank, a California

Represented By
Ekwan E Rhow
Elliot C Harvey Schatmeier

Jennifer Kellen

Represented By
Michael D Sobkowiak

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

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 28, 2020

Hearing Room 1675

2:30 PM

CONT...

Art and Architecture Books of the 21st Century

Chapter 11

David J Richardson
Victor A Sahn

Sam Leslie

Represented By
Victor A Sahn
Carolyn A Dye
David J Richardson
Jason Balitzer
Steven Thomas
Stephen Sorensen

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 28, 2020

Hearing Room 1675

2:30 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.

- #10.00** 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. 1/15/20, 9/16/20, 10/29/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/26/20. No tentative ruling on the merits. Appearances are required on 10/28/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 28, 2020

Hearing Room 1675

2:30 PM

CONT... **Art and Architecture Books of the 21st Century** **Chapter 11**

reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, October 28, 2020

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.

#11.00 Cont'd pretrial conference re: Application of Sam S. Leslie, plan agent, for issuance of order approving the issuance of writ of execution and appointment of plaintiff as substitute custodian for U.S. Marshal in furtherance of execution of writ and notice of levy; and for order approving sale of artworks free and clear of any claim of lien or interest
fr. 8/19/20, 9/2/20, 10/22/20

Docket 713

Tentative Ruling:

Updated tentative ruling as of 10/26/20. No tentative ruling on the merits. Appearances are required on 10/28/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 28, 2020

Hearing Room 1675

3:00 PM

CONT... **Art and Architecture Books of the 21st Century** Chapter 11

reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye
Alan I Nahmias

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
Ronald Rus
Fahim Farivar
Brian L Davidoff

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 28, 2020

Hearing Room 1675

3:00 PM

CONT...

Art and Architecture Books of the 21st Century

Chapter 11

Keith Patrick Banner

Jennifer Kellen

Represented By
J. Bennett Friedman

Michael D. Smith

Represented By
Brian L Davidoff

Kamran Gharibian

Represented By
Brian L Davidoff

Daryoush Dayan

Represented By
Brian L Davidoff

Cathay Bank, a California

Represented By
Ekwan E Rhow
Elliot C Harvey Schatmeier

Jennifer Kellen

Represented By
Michael D Sobkowiak

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
Steven Thomas
Stephen Sorensen

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, October 29, 2020

Hearing Room 1675

9:00 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#1.00 REMOTE TRIAL BY ZOOM RE: Objection to claim number 4 by claimant US Bank National Association as Trustee for Velocity Commercial Capital Loan Trust 2014-1 fr. 6/3/20, 8/4/20, 10/15/20

Docket 115

***** VACATED *** REASON: Trial vacated per order entered on 10/22/20-
mb.**

Tentative Ruling:

Updated tentative ruling as of 10/23/20. Off calendar. The trial scheduled for 10/29/20 at 9:00 a.m. has been vacated by order entered on 10/22/20 in light of the court's consideration of the motion of debtor to stay bankruptcy court proceedings pending state appellate court proceedings relating to the claim of creditor U.S. Bank, N.A., as trustee for Velocity Commercial Capital Trust 2014-1. No appearances are required on 10/29/20.

Prfior tentative ruling. Treat the motion objecting to claim as a contested matter under FRBP 9014 and set a schedule of pretrial proceedings, including discovery, since there are disputed issues of material fact. Parties should confer regarding an appropriate schedule if they can. Appearances are required on 5/8/19, but counsel may appear by telephone.

Creditor may be entitled to its claim for attorneys' fees under 11 U.S.C. 506(b) pursuant to contract based on its loan agreement secured by deed of trust, which were upheld as valid in the state court litigation. The four elements for a claim under 11 U.S.C. 506(b) are: (1) its claim is an allowed secured claim; (2) it is an oversecured creditor; (3) the fees it asserts are reasonable; and (4) the fees it asserts are provided for under an agreement under which such claim arose, or the fees are provided for under a state statute under which the creditor's claim arose. In re Astle, 364 B.R. 735, 741 (Bankr. D. Idaho 2007). The claim is an allowed secured claim based on the state court judgment, though the judgment is on appeal. The creditor is an oversecured creditor, which is not in dispute. The reasonableness of the fees it asserts is in material dispute. Creditor has only submitted redacted versions of its counsel's fee statements, which do not provide sufficient information for the court to review for reasonableness. Creditor must file unredacted versions, or

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, October 29, 2020

Hearing Room 1675

9:00 AM

CONT...

Raeisi Group, Inc

Chapter 11

submit unredacted versions in camera with a privilege log if creditor claims that the reacted matter is privileged. Debtor as the objecting party must carry its burden of explaining what in the fee statements are unreasonable or at least what would be reasonable under the circumstances. In re Koncicky, 2007 WL 7540997 (9th Cir. BAP 2007)(unpublished memorandum opinion) (citation omitted). Debtor has the responsibility to challenge the information and provide evidence controverting that produced by creditor. Id. Debtor has not met this burden. The fees that creditor asserts are provided by the loan agreement between it and its borrower providing for reasonable attorneys' fees if it incurs or pays to maintain, protect or enforce its rights under the loan agreement as secured by the deed of trust. Exhibits A and C to Favela Declaration. Case law in California allows such fees to be added to the balance under the promissory note secured by trust deed. Chacker v. JPMorgan Chase Bank, N.A., 27 Cal.App.5th 351, 356-358 (2018). However, there is no separate award of attorneys' fees authorized by statute, such as California Civil Code 1717 because debtor is not a signatory to the contract in the loan agreement and creditor has not otherwise shown that it would have been liable for the fees of the opposing party if the opposing party had prevailed. Asphalt Professionals, Inc. v. Davis (In re Davis), 595 B.R. 818, 837 (Bankr. C.D. Cal. 2019), citing, Dell Merk, Inc. v. Franzia, 132 Cal.App.4th 443, 441 (2005). Thus, creditor will need to submit fully unredacted copies of its fee statements to the court, and debtor will need to explain what in the fee statements are unreasonable and/or produce evidence showing that the fees are unreasonable.

Party Information

Debtor(s):

Raeisi Group, Inc

Represented By
Christopher P Walker

Movant(s):

Raeisi Group, Inc

Represented By
Christopher P Walker

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, October 29, 2020

Hearing Room 1675

10:00 AM

2:12-16195 David Alan Wilson

Chapter 7

Adv#: 2:12-01317 McKnew, Thomas I. IV et al v. Wilson

#2.00 Cont'd hearing re: Application for third person witness judgment debt examination of Beata Wilson on behalf of American General Corporation fr. 10/29/20

Docket 572

Tentative Ruling:

Appearances are required on 10/29/20 for the witness for the third person judgment debt examination to comply with the examination order and to be sworn in for the examination, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, October 29, 2020

Hearing Room 1675

10:00 AM

CONT... **David Alan Wilson**

Chapter 7

scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

David Alan Wilson

Represented By
Michael N Nicastrò
Christina M Chan
Eryk R Escobar

Defendant(s):

David A Wilson

Represented By
Jon-Michael A Marconi
James Andrew Hinds Jr
David Samuel Shevitz
Christopher A Dias

Plaintiff(s):

McKnew, Thomas I. IV

Represented By
James Andrew Hinds Jr
Paul R Shankman
Hye Jin Jang
Brian Barouir Yeretziàn
Rachel M Sposato

Lisa A McKnew

Represented By
James Andrew Hinds Jr
Paul R Shankman
Hye Jin Jang
Brian Barouir Yeretziàn

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, October 29, 2020

Hearing Room 1675

10:00 AM

CONT... **David Alan Wilson**

Chapter 7

Rachel M Sposato

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, October 29, 2020

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.

#3.00 Hearing re: Motion to compel discovery

Docket 763

***** VACATED *** REASON: Cont'd from 10/29/20 to 10/28/20 at 2:30
p.m. per order entered on 10/1/20-mb.**

Tentative Ruling:

Off calendar. Hearing advanced to 10/28/20 at 2:30 p.m. by order entered on 10/1/20. No appearances are required on 10/29/20.

Party Information

Debtor(s):

Art and Architecture Books of the	Represented By Thomas M Geher David W. Meadows Jerome S Cohen Carolyn A Dye Alan I Nahmias
-----------------------------------	---

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 Ronald Rus Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, October 29, 2020

Hearing Room 1675

1:30 PM

CONT... Art and Architecture Books of the 21st Century Chapter 11

Brian L Davidoff
Keith Patrick Banner

Jennifer Kellen

Represented By
J. Bennett Friedman

Michael D. Smith

Represented By
Brian L Davidoff

Kamran Gharibian

Represented By
Brian L Davidoff

Daryoush Dayan

Represented By
Brian L Davidoff

Cathay Bank, a California

Represented By
Ekwan E Rhow
Elliot C Harvey Schatmeier

Jennifer Kellen

Represented By
Michael D Sobkowiak

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
Steven Thomas

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, October 29, 2020

Hearing Room 1675

1:30 PM

CONT...

Art and Architecture Books of the 21st Century
Stephen Sorensen

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, October 29, 2020

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.

#4.00 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. 11/21/19, 1/15/20, 9/16/20

Docket 1

***** VACATED *** REASON: Cont'd from 10/29/20 to 10/28/20 at 2:30 p.m. per order entered on 10/1/20-mb.**

Tentative Ruling:

Off calendar. Hearing advanced to 10/28/20 at 2:30 p.m. by order entered on 10/1/20. No appearances are required on 10/29/20.

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**

Thursday, October 29, 2020

Hearing Room 1675

1:30 PM

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**

Tuesday, November 3, 2020

Hearing Room 1675

2:30 PM

2:19-17970 Paul John Yezpe

Chapter 7

#1.00 Hearing re: Motion for order authorizing sale of real property located at 1858 2nd Street, La Verne, CA 91750; (A) outside the ordinary course of business, and (B) approving the form and manner of notice and bid process

Docket 45

Tentative Ruling:

Service of the moving papers appears deficient as the proof of service indicates that creditor DirectTV listed on the creditor mailing matrix and one of the creditors filing a proof of claim was not served as required by FRBP 2002(a)(2) and 6004(a). Trustee will need to address the service deficiency. Otherwise, the court is inclined to grant trustee's motion for order authorizing sale of real property outside ordinary course of business pursuant to 11 U.S.C. 363(b), approving sales and overbid procedures and broker's commission, grant waiver of 14-day stay of enforcement of sale order pursuant to FRBP 6004(h) for the reasons stated in the moving papers and for lack of timely written opposition, but no tentative ruling as to determining purchaser as entitled to good faith purchaser status under 11 U.S.C. 363(m) as an auction to consider overbids may be required. Appearances are required on 11/3/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 3, 2020

Hearing Room 1675

2:30 PM

CONT...

Paul John Yepez

Chapter 7

appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 10 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Paul John Yepez

Represented By
Neil R Hedtke

Trustee(s):

Timothy Yoo (TR)

Represented By
Zi Chao Lin

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 4, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#1.00 Cont'd hearing re: Creditor Baldwin Sun Inc.'s motion to allow late filed claims pursuant to Federal Rules of Bankruptcy Procedure Rule 9006(b) fr. 4/29/20, 6/3/20, 8/5/20

Docket 310

***** VACATED *** REASON: Cont'd from 11/4/20 to 2/3/21 at 11:00 a.m.
per stip & order entered on 10/20/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 2/3/21 at 11:00 a.m. No appearances are required on 11/4/20.

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 4, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#2.00 Cont'd hearing re: Creditor Gia Phu Inc.'s motion to allow late filed claims pursuant to Federal Rules of Bankruptcy Procedure Rule 9006(b) fr. 4/29/20, 6/3/20, 8/5/20

Docket 312

***** VACATED *** REASON: Cont'd from 11/4/20 to 2/3/21 at 11:00 a.m.
per stip & order entered on 10/20/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 2/3/21 at 11:00 a.m. No appearances are required on 11/4/20.

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 4, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#3.00 Cont'd hearing re: Creditor Cong Ty May Vietmy's motion to allow late filed claims pursuant to Federal Rules of Bankruptcy Procedure Rule 9006(b) fr. 4/29/20, 6/3/20, 8/5/20

Docket 314

***** VACATED *** REASON: Cont'd from 11/4/20 to 2/3/21 at 11:00 a.m.
per stip & order entered on 10/20/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 2/3/21 at 11:00 a.m. No appearances are required on 11/4/20.

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 4, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#4.00 Cont'd hearing re: Creditor Shen-Shaoxing Tuchang Knitting Textile Co., Ltd.'s motion to allow late filed claims pursuant to Federal Rules of Bankruptcy Procedure Rule 9006(b)
fr. 4/29/20, 6/3/20, 8/5/20

Docket 316

***** VACATED *** REASON: Cont'd from 11/4/20 to 2/3/21 at 11:00 a.m.
per stip & order entered on 10/20/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 2/3/21 at 11:00 a.m. No appearances are required on 11/4/20.

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 4, 2020

Hearing Room 1675

1:00 PM

2:14-29611 Nikolay Machevsky

Chapter 7

- #5.00** Cont'd hearing re: Motion under F.R.C.P. Rule 60(b)(1), (3) and (6) to set aside one portion of entered order (1) Approving Compromise; (2) Authorizing Trustee to Transfer Real Property Free and Clear of Liens and Interests; (3) Requiring Debtor to Turn over Real Property of the Estate; and (4) Authorizing Trustee to Utilize U.S. Marshal and Other Law Enforcement
fr. 10/28/20

Docket 73

Tentative Ruling:

Revised and updated tentative ruling as of 11/4/20. At the continued hearing on 11/4/20, the court expects to call upon the United States Trustee for a report on his investigation. After this report, the court may ask the parties to address the following questions: (1) as movant is requesting that the court set aside the order approving the Binafard compromise/sale motion pursuant to FRCP 60(b)(1) and (3), *In re Ex-Cel Concrete Co., Inc.*, 178 B.R. 198 (9th Cir. BAP 1995) (bankruptcy court abused its discretion to deny FRCP 60(b) motion when no notice given to secured creditor of motion to sell free and clear as sale order was void for lack of due process), based on a finding that the trustee failed to serve it as a creditor with the Binafard compromise motion as required by FRBP 2002(a)(2) and/or (3), does the evidence in the record consisting of the original and amended proofs of service, the declarations of the legal assistant for trustee's counsel, Casas, and movant's former counsel, Sment, conflict, require credibility determinations that necessitate an evidentiary hearing for the court to make findings to resolve disputed issues of material fact, FRBP 9014(d) and (e); *Tyner v. Nicholson (In re Nicholson)*, 435 B.R. 622, 635-636 (9th Cir. BAP 2010); (2) were the terms of the Binafard compromise/sale motion fair and equitable under FRBP 9019 and do the circumstances of the compromise for sale of the real property warrant the court's discretion to apply the sale procedures of 11 U.S.C. 363, including overbidding, *In re Berkeley Delaware Court, LLC*, 834 F.3d 1036, 1040 (9th Cir. 2016) (the bankruptcy court has discretion to apply 11 U.S.C. 363 procedures to a sale of claims pursuant to a settlement approved under FRBP 9019); *In re Mickey Thompson Entertainment Group, Inc.*, 292 B.R. 415, 421-422 and n. 7 (9th Cir. BAP 2003)(the bankruptcy court has discretion to

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1:00 PM

CONT...

Nikolay Machevsky

Chapter 7

impose formal sales procedures of 11 U.S.C. depending "upon the dynamics of the particular situation", and it was an abuse of discretion under the circumstances not to apply sales procedures where compromise was in effect just a sale); In re Douglas J. Roger, M.D., Inc., 393 F.Supp.3d 940 (C.D. Cal. 2019) (the bankruptcy court abused its discretion by overriding the trustee's business judgment seeking court approval for a compromise involving sale of claims before considering whether the compromise was fair and equitable under FRBP 9019 and whether overbidding under 11 U.S.C. 363 provided additional benefits to the estate); (3) is the evidence of contact between movant's representative, Linton, and trustee's counsel, Zamora, sufficient to put the trustee on notice of movant as a potential overbidder (i.e., the email correspondence of July 2, 2019 between Linton and Zamora, Exhibit D to the trustee's opposition to the reconsideration motion) to trigger the application of Local Bankruptcy Rule 6004-1(c) (1)(B) requiring a hearing on the Binafard compromise/sale motion pursuant to Local Bankruptcy Rule 9013-1(d) before a ruling on the motion.

Appearances are required on 11/4/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 4, 2020

Hearing Room 1675

1:00 PM

CONT... Nikolay Machevsky

Chapter 7

need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Nikolay Machevsky

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Nancy H Zamora

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 10, 2020

Hearing Room 1675

10:30 AM

2:18-21789 Samuel Marquez

Chapter 11

#1.00 Cont'd hearing re: Motion for relief from stay
(U.S. Bank Trust National Association VS Debtor)
fr. 8/27/19, 9/17/19

Docket 65

Tentative Ruling:

Updated tentative ruling as of 11/9/20. No tentative ruling on the merits. Appearances are required on 11/10/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 10, 2020

Hearing Room 1675

10:30 AM

CONT... Samuel Marquez

Chapter 11

operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 9/16/19. No tentative ruling on the merits. Appearances are required on 9/17/19 to discuss the status of the parties' settlement negotiations regarding plan treatment of creditor's claim and scheduling of further proceedings on the motion if the matter is not settled, but counsel may appear by telephone.

Prior tentative ruling as of 8/26/19. Appearances are required on 8/27/19, but counsel may appear by telephone.

Party Information

Debtor(s):

Samuel Marquez

Represented By
Onyinye N Anyama

Movant(s):

U.S. Bank Trust National

Represented By
Kristin A Zilberstein

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 10, 2020

Hearing Room 1675

10:30 AM

2:20-18641 Jean DuFour

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Cab West, LLC VS Debtor)

Docket 9

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 11/10/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Jean DuFour

Represented By
Christie Cronenweth

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, November 10, 2020

Hearing Room 1675

11:00 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#2.10 Cont'd hearing re: Debtor's motion to stay bankruptcy court proceedings pending resolution of appeal in Raesi Group, Inc.
fr. 10/28/20

Docket 213

***** VACATED *** REASON: Granted per order entered on 11/9/20- mb.**

Tentative Ruling:

Off calendar. The court is ruling on debtor's stay motion on the papers and is issuing an order granting the motion with the court abstaining from hearing the dispute over attorneys' fees in favor of the state courts deciding the issue through debtor's appeal. The order should be entered shortly. No appearances are required on 11/10/20.

Party Information

Debtor(s):

Raesi Group, Inc

Represented By
Lee Burrows

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 10, 2020

Hearing Room 1675

11:00 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#2.20 Hearing re: Interim approval of plan modification motion

Docket 232

Tentative Ruling:

Grant debtor's motion for modification of its Chapter 11 plan for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are required on 11/10/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large

**United States Bankruptcy Court
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Tuesday, November 10, 2020

Hearing Room 1675

11:00 AM

CONT... People Who Care Youth Center, Inc.

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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**

Tuesday, November 10, 2020

Hearing Room 1675

11:00 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#2.30 Cont'd status conference re: Post confirmation of plan
fr. 9/30/20, 10/14/20, 10/28/20

Docket 119

Tentative Ruling:

Updated tentative ruling as of 11/9/20. No tentative ruling on the merits. Appearances are required on 11/10/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
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Tuesday, November 10, 2020

Hearing Room 1675

11:00 AM

CONT... People Who Care Youth Center, Inc.

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Revised and updated tentative ruling as of 10/27/20. The court has reviewed the status report filed by debtor reporting that it is now pursuing a loan refinancing transaction for its real property to pay creditors rather than a sale. Debtor has filed an application for a hearing of its motion to modify plan on shortened notice, but provided no authority for the court to hear the plan modification motion on less than 21 days notice required by FRBP 2002(a)(5). Otherwise, no tentative ruling on the merits. Appearances are required on 10/28/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
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Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, November 10, 2020

Hearing Room 1675

11:00 AM

CONT... People Who Care Youth Center, Inc. Chapter 11

Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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**

Tuesday, November 10, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01276 Goodrich v. Shemtov

#3.00 Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542
fr. 5/5/20, 6/30/20, 8/18/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/9/20. Off calendar. The court has reviewed the joint status report noting that plaintiff has noticed his motion for summary judgment for 12/1/20 and the parties have stipulated to extend the discovery date to 1/31/21, which the court has approved. In light of these developments, the court on its own motion continues the status conference to 12/1/20 at 2:30 p.m. to be conducted the same time as the hearing on plaintiff's motion for summary judgment. No appearances are required on 11/10/20.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

George Shemtov

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, November 10, 2020

Hearing Room 1675

1:30 PM

CONT...

SOCALDEAL INC

Chapter 7

Faye C Rasch

Beth Gaschen

Weiland Golden Goodrich LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 10, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01277 Goodrich v. Shemtov

#4.00 Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542
fr. 5/5/20, 6/30/20, 8/18/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/9/20. Off calendar. The court has reviewed the joint status report noting that plaintiff has noticed his motion for summary judgment for 12/1/20 and the parties have stipulated to extend the discovery date to 1/31/21, which the court has approved. In light of these developments, the court on its own motion continues the status conference to 12/1/20 at 2:30 p.m. to be conducted the same time as the hearing on plaintiff's motion for summary judgment. No appearances are required on 11/10/20.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Jack Shemtov

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, November 10, 2020

Hearing Room 1675

1:30 PM

CONT...

SOCALDEAL INC

Chapter 7

Faye C Rasch

Beth Gaschen

Weiland Golden Goodrich LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 10, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01278 Goodrich v. Shemtov

#5.00 Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542
fr. 5/5/20, 6/30/20, 8/18/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/9/20. Off calendar. The court has reviewed the joint status report noting that plaintiff has noticed his motion for summary judgment for 12/1/20 and the parties have stipulated to extend the discovery date to 1/31/21, which the court has approved. In light of these developments, the court on its own motion continues the status conference to 12/1/20 at 2:30 p.m. to be conducted the same time as the hearing on plaintiff's motion for summary judgment. No appearances are required on 11/10/20.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Najid Shemtov

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, November 10, 2020

Hearing Room 1675

1:30 PM

CONT... SOCALDEAL INC

Chapter 7

Trustee(s):

David M Goodrich (TR)

Represented By

Faye C Rasch

Beth Gaschen

Weiland Golden Goodrich LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, November 10, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01279 Goodrich v. Shemtov

#6.00 Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542
fr. 5/5/20, 6/30/20, 8/18/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/9/20. Off calendar. The court has reviewed the joint status report noting that plaintiff has noticed his motion for summary judgment for 12/1/20 and the parties have stipulated to extend the discovery date to 1/31/21, which the court has approved. In light of these developments, the court on its own motion continues the status conference to 12/1/20 at 2:30 p.m. to be conducted the same time as the hearing on plaintiff's motion for summary judgment. No appearances are required on 11/10/20.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Rojeh Shemtov

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, November 10, 2020

Hearing Room 1675

1:30 PM

CONT... SOCALDEAL INC

Chapter 7

Trustee(s):

David M Goodrich (TR)

Represented By

Faye C Rasch

Beth Gaschen

Weiland Golden Goodrich LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
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Courtroom 1675 Calendar**

Tuesday, November 10, 2020

Hearing Room 1675

1:30 PM

2:19-24594 John Michael Butcher

Chapter 7

Adv#: 2:20-01049 Neptune Fire Protection, Inc. v. Butcher et al

#7.00 Cont'd status conference re: Complaint to determine nondischargeability of debt
fr. 5/5/20, 6/23/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/9/20. Off calendar. The court has reviewed the joint status report advising that they are settling the matter and are now documenting their settlement. In light of these developments, the court on its own motion continues the status conference to 1/6/20 at 11:30 a.m. as the parties have requested. No appearances are required on 11/10/20.

Party Information

Debtor(s):

John Michael Butcher

Represented By
Dean G Rallis Jr

Defendant(s):

John Michael Butcher

Pro Se

Karen Payne Butcher

Pro Se

Joint Debtor(s):

Karen Payne Butcher

Represented By
Dean G Rallis Jr

Plaintiff(s):

Neptune Fire Protection, Inc.

Represented By
Robert G Klein

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 10, 2020

Hearing Room 1675

2:00 PM

2:19-15356 Ara Ohannes Keyllian

Chapter 7

Adv#: 2:19-01267 Ayrapetyan v. Keyllian

#8.00 Pretrial conference by ZOOM re: Complaint for nondischargeability of debt pursuant to 11 U.S.C. §523(a)(6), 11 U.S.C. §523(a)(2)(A), 11 U.S.C. §727(a)(2)(A), and 11 U.S.C. §727(a)(4)(A)
fr. 5/5/20, 6/30/20, 8/18/20

Docket 1

Tentative Ruling:

On November 10, 2020 at 2:00 p.m., the court will hold a Pre-Trial Technical Status Conference for the purpose of testing both the telephonic and videoconferencing technologies. At least one representative for each party must participate in the Pre-Trial Technical Status Conference. All participants are to conduct the pre-hearing testing from their intended location on the day of the trial. All participants are admonished not to discuss the substance of the trial at the Pre-Trial Technical Status Conference, but instead limit their comments to the functionality of the technology and any procedural matters that relating to the technology. The Pre-Trial Technical Status Conference will be conducted via Zoom for Government. Participants in the Pre-Trial Technical Status Conference will be connected with the courtroom via Zoom for Government but will not be physically present in the courtroom.

a. Video. Utilize the following link:

<https://cacb.zoomgov.com/j/1601421032>

and insert Meeting ID: 160 142 1032

and Password: 921328

b. Audio only. Audio-only participants must call into Zoom for Government by calling

+1 669 254 5252 (San Jose)

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 10, 2020

Hearing Room 1675

2:00 PM

CONT... Ara Ohannes Keyllian
+1 646 828 7666 (New York)

Chapter 7

Meeting ID: 160 142 1032

Password: 921328

Updated tentative ruling as of 8/14/20. No tentative ruling on the merits. Appearances are required on 8/18/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large

**United States Bankruptcy Court
Central District of California
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Tuesday, November 10, 2020

Hearing Room 1675

2:00 PM

CONT... Ara Ohannes Keyllian

Chapter 7

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling. No tentative ruling on the merits. Appearances are required on 6/30/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, this court is only conducting hearings with telephonic appearances for this matter and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Ara Ohannes Keyllian

Represented By
Eileen Keusseyan

Defendant(s):

Ara Keyllian

Pro Se

Plaintiff(s):

Anahid Ayrapetyan

Represented By
Linet Megerdomian

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
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Hearing Room 1675

2:30 PM

2:20-11519 Ki Hyong Kim

Chapter 7

Adv#: 2:20-01181 Avery v. Yu et al

#9.00 Hearing re: Motion for summary adjudication (partial summary judgment)

Docket 7

***** VACATED *** REASON: Cont'd from 11/10/20 to 1/5/21 at 2:30 p.m.
per order entered on 10/14/20-mb.**

Tentative Ruling:

Off calendar. Continued to 1/5/21 at 2:30 p.m. by order entered on 10/14/20.
No appearances are required on 11/10/20.

Party Information

Debtor(s):

Ki Hyong Kim

Represented By
Andrew Edward Smyth

Defendant(s):

Kyungmin Yu

Pro Se

Ki Hyong Kim

Represented By
Andrew Edward Smyth

Plaintiff(s):

Wesley H. Avery

Represented By
Brett B Curlee

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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2:30 PM

2:20-17954 V.P. Manufacturing, Inc.

Chapter 7

#10.00 Hearing re: Chapter 7 trustee's motion for order authorizing: (1) sale of personal property pursuant to 11 U.S.C. §§ 363(b) and (f); and (2) employment of Van Horn Auctions & Appraisal Group, LLC, as auctioneer

Docket 23

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the trustee's motion for order authorizing sale of personal pursuant to 11 U.S.C. 363(b) and (f) and (f) and employment of Van Horn Auctions and Appraisal Group, LLC, as auctioneer, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants the motion for the reasons stated in the moving papers and for lack of timely written opposition. In granting the motion, the court waives the requirements for lodging periods imposed by the Local Bankruptcy Rules and other rules and the stay on enforcement of the order imposed by FRBP 60064(h) and any other applicable rules. No appearances are required on 11/10/20. Trustee to lodge a proposed order within 7 days of hearing.

Party Information

Debtor(s):

V.P. Manufacturing, Inc.

Represented By
Mark T Young
David M Goodrich

Trustee(s):

Rosendo Gonzalez (TR)

Represented By

**United States Bankruptcy Court
Central District of California
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2:30 PM

CONT... V.P. Manufacturing, Inc.

David M Goodrich

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, November 10, 2020

Hearing Room 1675

2:30 PM

2:14-29611 Nikolay Machevsky

Chapter 7

#11.00 Cont'd hearing re: Motion under F.R.C.P. Rule 60(b)(1), (3) and (6) to set aside one portion of entered order (1) Approving Compromise; (2) Authorizing Trustee to Transfer Real Property Free and Clear of Liens and Interests; (3) Requiring Debtor to Turn over Real Property of the Estate; and (4) Authorizing Trustee to Utilize U.S. Marshal and Other Law Enforcement
fr. 10/28/20, 11/4/20

Docket 73

Tentative Ruling:

Updated tentative ruling as of 11/9/20. No tentative ruling on the merits. Appearances are required on 11/10/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to

**United States Bankruptcy Court
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Tuesday, November 10, 2020

Hearing Room 1675

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CONT...

Nikolay Machevsky

Chapter 7

call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Revised and updated tentative ruling as of 11/4/20. At the continued hearing on 11/4/20, the court expects to call upon the United States Trustee for a report on his investigation. After this report, the court may ask the parties to address the following questions: (1) as movant is requesting that the court set aside the order approving the Binafard compromise/sale motion pursuant to FRCP 60(b)(1) and (3), *In re Ex-Cel Concrete Co., Inc.*, 178 B.R. 198 (9th Cir. BAP 1995) (bankruptcy court abused its discretion to deny FRCP 60(b) motion when no notice given to secured creditor of motion to sell free and clear as sale order was void for lack of due process), based on a finding that the trustee failed to serve it as a creditor with the Binafard compromise motion as required by FRBP 2002(a)(2) and/or (3), does the evidence in the record consisting of the original and amended proofs of service, the declarations of the legal assistant for trustee's counsel, Casas, and movant's former counsel, Sment, conflict, require credibility determinations that necessitate an evidentiary hearing for the court to make findings to resolve disputed issues of material fact, FRBP 9014(d) and (e); *Tyner v. Nicholson (In re Nicholson)*, 435 B.R. 622, 635-636 (9th Cir. BAP 2010); (2) were the terms of the Binafard compromise/sale motion fair and equitable under FRBP 9019 and do the circumstances of the compromise for sale of the real property warrant the court's discretion to apply the sale procedures of 11 U.S.C. 363, including overbidding, *In re Berkeley Delaware Court, LLC*, 834 F.3d 1036, 1040 (9th Cir. 2016) (the bankruptcy court has discretion to apply 11 U.S.C. 363 procedures to a sale of claims pursuant to a settlement approved under FRBP 9019); *In re Mickey Thompson Entertainment Group, Inc.*, 292 B.R. 415, 421-422 and n. 7 (9th Cir. BAP 2003)(the bankruptcy court has discretion to impose formal sales procedures of 11 U.S.C. depending "upon the dynamics of the particular situation", and it was an abuse of discretion under the circumstances not to apply sales procedures where compromise was in effect

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CONT...

Nikolay Machevsky

Chapter 7

just a sale); In re Douglas J. Roger, M.D., Inc., 393 F.Supp.3d 940 (C.D. Cal. 2019) (the bankruptcy court abused its discretion by overriding the trustee's business judgment seeking court approval for a compromise involving sale of claims before considering whether the compromise was fair and equitable under FRBP 9019 and whether overbidding under 11 U.S.C. 363 provided additional benefits to the estate); (3) is the evidence of contact between movant's representative, Linton, and trustee's counsel, Zamora, sufficient to put the trustee on notice of movant as a potential overbidder (i.e., the email correspondence of July 2, 2019 between Linton and Zamora, Exhibit D to the trustee's opposition to the reconsideration motion) to trigger the application of Local Bankruptcy Rule 6004-1(c) (1)(B) requiring a hearing on the Binafard compromise/sale motion pursuant to Local Bankruptcy Rule 9013-1(d) before a ruling on the motion.

Appearances are required on 11/4/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance

**United States Bankruptcy Court
Central District of California
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Tuesday, November 10, 2020

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2:30 PM

CONT...

Nikolay Machevsky

Chapter 7

reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Nikolay Machevsky

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Nancy H Zamora

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, November 13, 2020

Hearing Room 1675

10:30 AM

2:18-18159 Martha Alicia Fernandez

Chapter 7

Adv#: 2:18-01327 Walden et al v. Fernandez

#1.00 CONT'D TRIAL BY ZOOM RE: Complaint for non-dischargeability of debtor under § 523(a)(2)(A) fr. 9/18/20, 9/24/20, 10/9/20

Docket 1

Courtroom Deputy:

[Cont'd from 10/9/20 to 11/13/20 at 10:30 a.m. per order entered on 10/6/20]

Tentative Ruling:

Revised and tentative ruling as of 10/6/20. Off calendar. Based on the joint stipulation of the parties to continue the fourth day of trial from October 9, 2020, the court will approve the stipulation and will continue the fourth day of trial to November 13, 2020. No appearances are required on October 9, 2020. An order will follow.

The Court hereby provides notice to the parties to this adversary proceeding that the Court will hold the fourth day of trial on Plaintiffs' Complaint for Non-Dischargeability of Debt under 11 U.S.C. § 523(a)(2)(A) on **November 13, 2020 at 10:30 a.m.**, which will be conducted via Zoom for Government. Participants will be connected to the courtroom using Zoom for Government but will not be physically present in the courtroom. Participants must connect to the Zoom for Government courtroom no later than 10:20 a.m. and check in with the law clerk/DECRO. If a trial participant is having problems connecting

**United States Bankruptcy Court
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Friday, November 13, 2020

Hearing Room 1675

10:30 AM

CONT...

Martha Alicia Fernandez

Chapter 7

to the trial, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Trial Day 4: November 13, 2020 at 10:30 a.m.

- a. Video. Utilize the following link:
<https://cacb.zoomgov.com/j/1611888665>
and insert **Meeting ID:** 161 188 8665 and **Password:** 320420
- b. Audio only. Audio-only participants must call into Zoom for Government by calling:
+1 669 254 5252, or +1 646 828 7666;
and insert **Meeting ID:** 161 188 8665 and **Password:** 320420

Supplemental tentative ruling as of 9/17/20: In closing argument, counsel should advise the court as to which issues of fact and of law in the amended joint pretrial stipulation that you are still requesting the court to decide and which ones that you are no longer asking the court to decide. The parties should also address the applicability of California Business and Professions Code Section 7031(b) to the element of damages on plaintiffs' fraud claim under California law and 11 U.S.C. Section 523(a)(2)(A). See also, MW Erectors, Inc. v. Niederhauser Ornamental & Metal Works Co., Inc., 36 Cal.4th 412 (2005).

Party Information

Debtor(s):

Martha Alicia Fernandez

Represented By
Gary S Saunders

Defendant(s):

**United States Bankruptcy Court
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Friday, November 13, 2020

Hearing Room 1675

10:30 AM

CONT... Martha Alicia Fernandez

Chapter 7

Martha Alicia Fernandez

Pro Se

Plaintiff(s):

Yvette Walden

Pro Se

Guadalupe L Cruz

Pro Se

Jose L Cruz

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**

Monday, November 16, 2020

Hearing Room 1675

10:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#1.00 Discovery dispute conference re: Motion for order disallowing proof of claim no. 7-1
filed by Ghazer Zehnaly
fr. 7/15/20, 7/22/20, 10/21/20

Docket 343

***** VACATED *** REASON: Cont'd fr. 11/16/20 to 12/17/20 at 10:00 a.m.
per stip & order entered on 11/12/20-mb**

Tentative Ruling:

Revised and updated tentative ruling as of 11/12/20. Off calendar. Continued
by stipulation and order to 12/17/20 at 10:00 a.m. No appearances are
required on 11/16/20.

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
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Los Angeles
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Tuesday, November 17, 2020

Hearing Room 1675

10:30 AM

2:18-17189 Seven-Bros Enterprises, Inc.

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(CIT Bank, N.A. VS Debtor)

Docket 105

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 11/17/20. Movant to submit a proposed order within 7 days of hearing.

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, November 17, 2020

Hearing Room 1675

10:30 AM

2:20-10131 Alex S Min

Chapter 7

#2.00 Cont'd hearing re: Motion for relief from stay
(JPMorgan Chase Bank, N.A. VS Debtor)
fr. 4/28/20, 6/2/20, 9/8/2020

Docket 13

***** VACATED *** REASON: Cont'd fr 11/17/20 to 1/19/21 at 10:30 a.m.
per stip & order entered on 11/16/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 11/16/20. Off calendar. Continued by stipulation and order to 1/19/21 at 10:30 a.m. No appearances are required on 11/17/20.

Revised and updated tentative ruling as of 9/4/20. Off calendar. Continued by stipulation and order to 11/17/20 at 10:30 a.m. No appearances are required on 9/8/20.

Party Information

Debtor(s):

Alex S Min

Represented By
Young K Chang

Trustee(s):

John P Pringle (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, November 17, 2020

Hearing Room 1675

10:30 AM

2:20-17929 Steven Dean

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(Honda Lease Trust VS Debtor)

Docket 10

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 11/17/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Steven Dean

Represented By
Vernon R Yancy

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, November 17, 2020

Hearing Room 1675

10:30 AM

2:20-18050 Juan Manuel Meza and Yesenia Yadira Meza

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(SchoolsFirst Federal Credit Union VS Debtors)

RE: 2017 GMC Yukon

Docket 13

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 11/17/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Juan Manuel Meza

Represented By
Sina Maghsoudi

Joint Debtor(s):

Yesenia Yadira Meza

Represented By
Sina Maghsoudi

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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Tuesday, November 17, 2020

Hearing Room 1675

10:30 AM

2:20-18050 Juan Manuel Meza and Yesenia Yadira Meza

Chapter 7

#5.00 Hearing re: Motion for relief from stay
(SchoolsFirst Federal Credit Union VS Debtors)

RE: 2014 Chevrolet 1500

Docket 14

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 11/17/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Juan Manuel Meza

Represented By
Sina Maghsoudi

Joint Debtor(s):

Yesenia Yadira Meza

Represented By
Sina Maghsoudi

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 17, 2020

Hearing Room 1675

10:30 AM

2:20-19112 Janina Ann Washington

Chapter 7

#6.00 Hearing re: Motion for relief from stay
(Daimler Trust VS Debtor)

Docket 8

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 11/17/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Janina Ann Washington

Represented By
Jeffrey N Wishman

Trustee(s):

Sam S Leslie (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, November 17, 2020

Hearing Room 1675

10:30 AM

2:20-19433 Angela Maria Morales

Chapter 7

#7.00 Hearing re: Motion for relief from stay
(American Honda Finance Corporation VS Debtor)

Docket 10

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 11/17/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Angela Maria Morales	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
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Tuesday, November 17, 2020

Hearing Room 1675

1:00 PM

2:14-29611 Nikolay Machevsky

Chapter 7

- #7.10** Technical Pretrial Status Conference by Zoom re: Motion under F.R.C.P. Rule 60(b)(1), (3) and (6) to set aside one portion of entered order (1) Approving Compromise; (2) Authorizing Trustee to Transfer Real Property Free and Clear of Liens and Interests; (3) Requiring Debtor to Turn over Real Property of the Estate; and (4) Authorizing Trustee to Utilize U.S. Marshal and Other Law Enforcement
fr. 10/28/20, 11/4/20, 11/10/20

Docket 73

Tentative Ruling:

At the request of counsel for the Chapter 7 Trustee, the court is issuing an amended scheduling order rescheduling this status conference for 1:00 p.m. rather than at 3:00 p.m.

On November 17, 2020 at 1:00 p.m., the court will hold a Pre-Trial Technical Status Conference for the purpose of testing both the telephonic and videoconferencing technologies. At least one representative for each party should participate in the Pre-Trial Technical Status Conference. All participants are to conduct the pre-hearing testing from their intended location on the day of the trial. All participants are admonished not to discuss the substance of the trial at the Pre-Trial Technical Status Conference, but instead limit their comments to the functionality of the technology and any procedural matters that relating to the technology. The Pre-Trial Technical Status Conference will be conducted via Zoom for Government. Participants in the Pre-Trial Technical Status Conference will be connected with the

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Hearing Room 1675

1:00 PM

CONT... Nikolay Machevsky

Chapter 7

courtroom via Zoom for Government but will not be physically present in the courtroom.

a. Video. Utilize the following link:

<https://cacb.zoomgov.com/j/1616650440>

and insert **Meeting ID:** 161 665 0440 and **Password:** 900152.

b. Audio only. Audio-only participants must call into Zoom for Government by calling

+1 669 254 5252 (San Jose), or

+1 646 828 7666 (New York)

and insert **Meeting ID:** 161 665 0440 and **Password:** 900152.

Updated tentative ruling as of 11/9/20. No tentative ruling on the merits. Appearances are required on 11/10/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

Revised and updated tentative ruling as of 11/4/20. At the continued hearing on 11/4/20, the court expects to call upon the United States Trustee for a report on his investigation. After this report, the court may ask the parties to address the following questions: (1) as movant is requesting that the court set aside the order approving the Binafard compromise/sale motion pursuant to FRCP 60(b)(1) and (3), In re Ex-Cel Concrete Co., Inc., 178 B.R. 198 (9th Cir. BAP 1995) (bankruptcy court abused its discretion to deny FRCP 60(b) motion when no notice given to secured creditor of motion to sell free and clear as sale order was void for lack of due process), based on a finding that the trustee failed to serve it as a creditor with the Binafard compromise motion

**United States Bankruptcy Court
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1:00 PM

CONT...

Nikolay Machevsky

Chapter 7

as required by FRBP 2002(a)(2) and/or (3), does the evidence in the record consisting of the original and amended proofs of service, the declarations of the legal assistant for trustee's counsel, Casas, and movant's former counsel, Sment, conflict, require credibility determinations that necessitate an evidentiary hearing for the court to make findings to resolve disputed issues of material fact, FRBP 9014(d) and (e); Tyner v. Nicholson (In re Nicholson), 435 B.R. 622, 635-636 (9th Cir. BAP 2010); (2) were the terms of the Binafard compromise/sale motion fair and equitable under FRBP 9019 and do the circumstances of the compromise for sale of the real property warrant the court's discretion to apply the sale procedures of 11 U.S.C. 363, including overbidding, In re Berkeley Delaware Court, LLC, 834 F.3d 1036, 1040 (9th Cir. 2016) (the bankruptcy court has discretion to apply 11 U.S.C. 363 procedures to a sale of claims pursuant to a settlement approved under FRBP 9019); In re Mickey Thompson Entertainment Group, Inc., 292 B.R. 415, 421-422 and n. 7 (9th Cir. BAP 2003)(the bankruptcy court has discretion to impose formal sales procedures of 11 U.S.C. depending "upon the dynamics of the particular situation", and it was an abuse of discretion under the circumstances not to apply sales procedures where compromise was in effect just a sale); In re Douglas J. Roger, M.D., Inc., 393 F.Supp.3d 940 (C.D. Cal. 2019) (the bankruptcy court abused its discretion by overriding the trustee's business judgment seeking court approval for a compromise involving sale of claims before considering whether the compromise was fair and equitable under FRBP 9019 and whether overbidding under 11 U.S.C. 363 provided additional benefits to the estate); (3) is the evidence of contact between movant's representative, Linton, and trustee's counsel, Zamora, sufficient to put the trustee on notice of movant as a potential overbidder (i.e., the email correspondence of July 2, 2019 between Linton and Zamora, Exhibit D to the trustee's opposition to the reconsideration motion) to trigger the application of Local Bankruptcy Rule 6004-1(c) (1)(B) requiring a hearing on the Binafard compromise/sale motion pursuant to Local Bankruptcy Rule 9013-1(d) before a ruling on the motion.

Appearances are required on 11/4/20, but counsel and self-represented parties must appear by telephone.

Party Information

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CONT... Nikolay Machevsky

Chapter 7

Debtor(s):

Nikolay Machevsky

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Nancy H Zamora

**United States Bankruptcy Court
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Hearing Room 1675

1:30 PM

2:17-21018 Prototype Engineering & Manufacturing, Inc.

Chapter 7

Adv#: 2:19-01332 Avery v. Leya Technologies, LLC et al

- #8.00** Cont'd status conference re: Plaintiff's complaint for: (1) avoidance of actual fraudulent transfers; (2) avoidance of constructive fraudulent transfers; (3) recovery of avoided transfers; (4) breach of fiduciary duty; (5) recovery of prohibited distributions; (6) unjust enrichment; (7) aiding and abetting breach of fiduciary duty; and (8) substantive consolidation of certain defendants with the debtor's estate
fr. 9/29/20, 10/13/20, 10/27/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/13/20. No tentative ruling on the merits. Appearances are required on 11/17/20 to discuss the status of documentation of pending settlement between the parties, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than

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CONT... Prototype Engineering & Manufacturing, Inc. Chapter 7

the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Prototype Engineering &

Represented By
Carol Chow

Defendant(s):

Leya Technologies, LLC

Pro Se

Bahram Bordbar

Pro Se

Malahat Bordbar

Pro Se

Sara Bordbar

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
Carmela Pagay

Trustee(s):

Wesley H Avery (TR)

Represented By
Timothy J Yoo
Carmela Pagay
Lindsey L Smith
Irving M Gross

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1:30 PM

2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01467 Avery v. Mercedes-Benz Financial Service USA LLC

#9.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential and fraudulent transfers fr. 5/5/20, 7/14/20, 9/15/20

Docket 1

***** VACATED *** REASON: Cont'd from 11/17/20 to 2/2/21 at 1:30 p.m. per stip & order entered on 11/5/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 2/2/21 at 1:30 p.m. No appearances are required on 11/17/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Mercedes-Benz Financial Service

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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1:30 PM

2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01468 Avery v. Baldwin Sun Inc.

#10.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of fraudulent and transfers
fr. 5/5/20, 7/14/20, 9/15/20

Docket 1

***** VACATED *** REASON: Cont'd from 11/17/20 to 2/2/21 at 1:30 p.m.
per stip & order entered on 11/4/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 2/2/21 at 1:30 p.m. No appearances are required on 11/17/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Baldwin Sun Inc.

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

**United States Bankruptcy Court
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Hearing Room 1675

1:30 PM

2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01470 Avery v. JC Rack Systems

#11.00 Cont'd status conference re: Complaint for avoidance and recovery of fraudulent transfers
fr. 5/5/20, 7/14/20, 9/15/20

Docket 1

***** VACATED *** REASON: Cont'd from 11/17/20 to 2/2/21 at 1:30 p.m.
per stip & order entered on 11/4/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 11/13/20. Off calendar. Continued by stipulation and order to 2/2/21 at 1:30 p.m. No appearances are required on 11/17/20.

Updated tentative ruling as of 3/2/20. Off calendar. Continued by stipulation and order to 5/5/20 at 1:30 p.m. No appearances are required on 3/3/20.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status conference requesting a 60-day continuance of the status conference in order for plaintiff to file a request for entry of default against defendant and to file a motion for default judgment. The court on its own motion continues the status conference to 3/3/20 at 1:30 p.m. No appearances are required on 1/7/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

JC Rack Systems

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

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CONT... Kody Branch of California, Inc.

Chapter 7

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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1:30 PM

2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01471 Avery v. Los Angeles County Tax Collector

#12.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of fraudulent and unauthorized postpetition transfers
fr. 5/5/20, 7/14/20, 9/15/20

Docket 1

***** VACATED *** REASON: Cont'd from 11/17/20 to 2/2/21 at 1:30 p.m.
per stip & order entered on 11/4/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 2/2/21 at 1:30 p.m. No appearances are required on 11/17/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Los Angeles County Tax Collector

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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1:30 PM

2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01473 Avery v. Sio, LLC

#13.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential and fraudulent transfers fr. 5/5/20, 7/14/20, 9/15/20

Docket 1

***** VACATED *** REASON: Cont'd from 11/17/20 to 2/2/21 at 1:30 p.m. per stip & order entered on 11/4/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 2/2/21 at 1:30 p.m. No appearances are required on 11/17/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Sio, LLC

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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1:30 PM

2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01479 Avery v. Trinh

#14.00 Cont'd status conference re: Complaint for (1) breach of fiduciary duty; (2) conversion; (3) misappropriation of trade secrets; (4) wrongful disparagement of debtor's assets; (5) avoidance, recovery, and preservation of preferential transfers; (6) avoidance, recovery, and preservation of preferential transfers; (6) avoidance, recovery, and preservation of actual fraudulent transfers; (7) avoidance, recovery, and preservation of constructive fraudulent transfers; (8) unauthorized post-petition transfers; and (9) turnover of property of the estate
fr. 5/5/20, 7/14/20, 9/30/20

Docket 1

***** VACATED *** REASON: Cont'd from 11/17/20 to 2/2/21 at 1:30 p.m.
per stip & order entered on 11/4/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 2/2/21 at 1:30 p.m. No appearances are required on 11/17/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Tony Trinh

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By

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CONT... Kody Branch of California, Inc.

Chapter 7

Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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Hearing Room 1675

1:30 PM

2:18-21855 Michael Richard Shapiro
Adv#: 2:19-01009 Vechery v. Shapiro

Chapter 7

#15.00 Cont'd status conference re: Complaint to determine non-dischargeability of debt under bankruptcy code section 523 fr. 10/8/19, 4/28/20, 8/4/20

Docket 1

***** VACATED *** REASON: Cont'd fr 11/17/20 to 12/15/20 at 1:30 p.m.
per stip and order entered on 10/30/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 11/13/20. Off calendar. Continued by stipulation and order to 12/15/20 at 1:30 p.m. No appearances are required on 11/17/20.

Revised and updated tentative ruling as of 8/3/20. The court has reviewed plaintiff's unilateral statement for the status conference filed on 8/3/20. Apparently, the mediation has not yet been conducted. According to plaintiff in his statement, he believes that an in person mediation would be more successful than one by videoconference, but defendant is not willing to have an in person mediation in light of current pandemic conditions, suggesting that the parties be allowed to complete an in person mediation by February 2021, assuming the pandemic subsides. Since the statement was unilateral, the court will hear from both parties as to the status of the pending mediation and the scheduling of further proceedings, including whether plaintiff intends to further amend the complaint as stated in its motion to extend discovery deadlines filed on 6/30/20. Appearances are required on 8/4/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the

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1:30 PM

CONT... Michael Richard Shapiro

Chapter 7

COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 4/27/20. The court has reviewed plaintiff's unilateral status report and defendant's joinder and grants joint request to continue scheduling dates as follows: (1) discovery cutoff date extended from 3/31/20 to 6/30/20; (2) status report filing due date extended from 4/21/20 to 7/28/20; (3) status conference continued from 4/28/20 at 1:30 p.m. to 8/4/20 at 1:30 p.m.; and (4) mediation completion deadline extended from 4/28/20 to 8/4/20. Plaintiff to lodge a proposed updated scheduling order within 7 days.

Appearances are optional on 4/28/20, but counsel and self-represented parties may and should appear by telephone, if appearing. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief

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CONT... Michael Richard Shapiro

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Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Revised tentative ruling as of 10/7/19. The court has reviewed modified joint status report. Set a discovery cutoff date of 3/31/20, and a post-discovery status conference on 4/28/20 at 1:30 p.m. with a joint status report due on 4/21/20. Defendant should address why the matter is not amenable to mediation. Appearances are required on 10/8/19, but counsel may appear by telephone.

Prior tentative ruling as of 7/29/19. No tentative ruling in light of the pending motion to dismiss the second amended complaint. The court will hear argument on the motion to dismiss at the same time as the status conference on the 1:30 p.m. calendar. Appearances are required on 7/30/19 at 1:30 p.m., but counsel may appear by telephone.

Prior tentative ruling as of 5/13/19. Appearances are required on 5/14/19, but counsel may appear by telephone.

Party Information

Debtor(s):

Michael Richard Shapiro

Represented By
Charles Shamash
Joseph E. Caceres

Defendant(s):

Michael Richard Shapiro

Pro Se

Plaintiff(s):

Harvey Vechery

Represented By
Tom Lallas
Mark D Hurwitz

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CONT... Michael Richard Shapiro

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Trustee(s):

Timothy Yoo (TR)

Pro Se

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1:30 PM

2:19-10246 Dean Henrik Okland

Chapter 7

Adv#: 2:19-01410 Dorfman v. Okland

#16.00 Cont'd status conference re: Complaint to determine dischargeability of debt (11 U.S.C. §§523(a)(2)(A) and 523(a)(4) fr. 5/26/20, 8/4/20, 10/27/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/13/20. No tentative ruling on the merits. Appearances are required on 11/17/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los

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Dean Henrik Okland

Chapter 7

Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 10/22/20. Off calendar. The court has reviewed plaintiff's unilateral status report stating that he is preparing to file a motion for default judgment by 11/10/20. Based on this representation, the court on its own motion continues the status conference to 11/17/20 at 1:30 p.m. to allow additional time for plaintiff to finish his preparation of a motion for default judgment. No appearances are required on 10/27/20.

Prior tentative ruling as of 7/31/20. Off calendar. The court has reviewed plaintiff's unilateral status report stating that he is preparing to file a motion for default judgment, but the gathering of documents in support thereof is taking longer than anticipated in light of the current situation, though he is hopeful that the motion can be filed within 60 days. Based on these representations, the court on its own motion continues the status conference to 10/27/20 at 1:30 p.m. to allow time for plaintiff to finish his preparation of a motion for default judgment. No appearances are required on 8/4/20.

Prior tentative ruling as of 5/22/20. Appearances are required on 5/26/20 to discuss the status of plaintiff's motion for default judgment and when other further proceedings should be set, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 3/20/20. Off calendar. The court has reviewed plaintiff's unilateral status report filed on 3/16/20, stating that he will be filing a motion for default judgment shortly. The court on its own motion continues the status conference for about 60 days to 5/26/20 at 1:30 p.m. to allow time for plaintiff to prepare and file his motion for default judgment. No appearances are required on 3/31/20.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report. Set a discovery cutoff date of 2/28/20, and a post-discovery status

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CONT... Dean Henrik Okland Chapter 7

conference on 3/31/20 at 1:30 p.m. with a joint status report due on 3/24/20. These dates will likely be moot if a motion for default judgment is filed and ruled upon in the meantime. Appearances are optional on 11/19/19, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Dean Henrik Okland	Pro Se
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Defendant(s):

Dean Henrik Okland	Pro Se
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Plaintiff(s):

Chuck Dorfman	Represented By David S Hagen
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Trustee(s):

Howard M Ehrenberg (TR)	Represented By Jeffrey S Shinbrot
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1:30 PM

2:20-16098 Jaime Arellano

Chapter 7

Adv#: 2:20-01624 Travelers Express Company Inc. now known as Moneyg v. Arellano

#17.00 Status conference re: Complaint to determine the dischargeability of a debt and to object to discharge of the debtor

Docket 1

Tentative Ruling:

Set a discovery cutoff date of 6/30/21 and a post-discovery status conference on 7/27/21 at 1:30 p.m. with a joint status report due on 7/13/21. Order the matter to mediation, and the parties to file a selection of mediator and alternate mediator by 2/28/21 and complete mediation by 7/27/21. Appearances are required on 11/17/20, but counsel and self-represented parties must appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of the status conference.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance

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Jaime Arellano

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reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Jaime Arellano

Represented By
Steven A Alpert

Defendant(s):

Jaime Arellano

Pro Se

Plaintiff(s):

Travelers Express Company Inc.

Represented By
Robert L Rentto

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 17, 2020

Hearing Room 1675

2:00 PM

2:18-11148 Jong J Kim

Chapter 7

Adv#: 2:18-01134 Shon et al v. Kim et al

- #18.00** Order to show cause why defendants Jong J. Kim and Sun Y. Kim and/or their counsel, attorney Bahram Madaen, should not be sanctioned for failure to prepare and file a joint pretrial stipulation, appear at the October 27, 2020 pretrial conference and otherwise comply with Local Bankruptcy Rule 7016-1

Docket 48

Tentative Ruling:

Updated tentative ruling as of 11/13/20. No tentative ruling on the merits. Appearances are required on 11/17/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, November 17, 2020

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2:00 PM

CONT...

Jong J Kim

Chapter 7

scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Jong J Kim

Represented By
Bahram Madaen

Defendant(s):

Sun Y Kim

Represented By
Bahram Madaen

Jong Joo Kim

Represented By
Bahram Madaen

Joint Debtor(s):

Sun Y Kim

Represented By
Bahram Madaen

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
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Tuesday, November 17, 2020

Hearing Room 1675

2:00 PM

2:18-11148 Jong J Kim

Chapter 7

Adv#: 2:18-01134 Shon et al v. Kim et al

#19.00 Cont'd pretrial 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. 6/16/20, 8/18/20, 10/27/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/13/20. No tentative ruling on the merits. Appearances are required on 11/17/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
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CONT...

Jong J Kim

Chapter 7

Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Updated tentative ruling as of 8/14/20. No tentative ruling on the merits. Since the status conference was continued due to the failure of one counsel to appear and the court decided not to sanction the attorney for his nonappearance, the court expects that counsel has met and confer regarding rescheduling further proceedings in this matter to be discussed at the status conference on 8/18/20. Appearances are required on 8/18/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 5/1/20. No tentative ruling on the merits. Appearances are required on 5/5/20 to discuss the status of the adversary proceeding, including the status of mediation and settlement negotiations and if not settled, when a pretrial conference should be set, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 3/20/20. Off calendar. In light of the rapidly developing public health threat of coronavirus disease (COVID-19) declared a public health emergency in the State of California and the United States of America and the current national and local public health guidance to mitigate the spread of the disease through social distancing, on March 19, 2020, the United States District Court for the Central District of California issued General Order 20-042, which among other things closes all courthouses of the Central District of California to the public, including the Roybal Federal Building, through May 1, 2020, and accordingly, the court on its own motion continues the status conference in this adversary proceeding scheduled for March 31, 2020 at 1:30 p.m. to May 5, 2020 at 1:30 p.m. The court may issue a further order regarding scheduling if the public health threat does not subside. No appearances are required on March 31, 2020 at 1:30 p.m. as the status conference is continued to May 5, 2020 at 1:30 p.m. in Courtroom

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CONT...

Jong J Kim

Chapter 7

1675, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012. Counsel for plaintiff is ordered to give notice to the other parties.

Prior tentative ruling as of 10/21/19. Appearances are required on 10/22/19, but counsel may appear by telephone.

tentative ruling as of 6/24/19. Schedule a pretrial conference for this adversary proceeding if the matter is not being settled. Appearances are required on 6/25/19, but counsel may appear by telephone.

Prior tentative ruling as of 3/25/19. The court has reviewed the stipulation of the parties regarding continuance of scheduled dates and hearings filed on 2/27/19 and based on that stipulation, set a new discovery cutoff date of 5/29/19 and a post-discovery status conference on 6/25/19 at 1:30 p.m. (status conferences are held on Tuesdays at 1:30 p.m.) with a joint status report due on 6/18/19. Order the matter to mediation, and the parties to file a selection of mediator and alternate mediator by 4/15/19 and complete mediation by 6/25/19. No appearances are required on 9/18/18. Plaintiffs to submit a proposed scheduling order within 7 days.

Prior 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.

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Los Angeles
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Tuesday, November 17, 2020

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CONT...

Jong J Kim

Chapter 7

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

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, November 17, 2020

Hearing Room 1675

2:30 PM

2:18-10068 Manuel Terrazas

Chapter 7

#20.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Carolyn A. Dye, Chapter 7 Trustee]

Docket 72

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the trustee's final report and fee application, the court determines that oral argument on the final report and fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final report and fee application, rules on the final report and fee application on the papers, and approves the final report and fee application for the reasons stated in the final report and fee application and for lack of timely written opposition. No appearances are required on 11/17/20. Trustee to lodge a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Manuel Terrazas

Represented By

Leslie Richards - SUSPENDED BK -

Trustee(s):

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, November 17, 2020

Hearing Room 1675

2:30 PM

2:19-10246 Dean Henrik Okland

Chapter 7

Adv#: 2:19-01102 Sunderland et al v. Okland

#21.00 Hearing re: Motion for sanctions for defendant's failure to comply with court's October 7, 2020 discovery order

Docket 40

Tentative Ruling:

Updated tentative ruling as of 11/13/20. The parties should be prepared to discuss the impact of the trustee's pending motion to amend the complaint and motion for summary judgment and plaintiffs' other motion to compel discovery on this motion for sanctions. Otherwise, no tentative ruling on the merits. Appearances are required on 11/17/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to

**United States Bankruptcy Court
Central District of California
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2:30 PM

CONT... Dean Henrik Okland

Chapter 7

call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Dean Henrik Okland	Pro Se
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Defendant(s):

Dean Henrik Okland	Represented By Gary R Wallace
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Plaintiff(s):

HOWARD M EHRENBERG	Pro Se
Jennifer Sunderland	Represented By Kimberly Wright
James Farrow	Represented By Kimberly Wright

Trustee(s):

Howard M Ehrenberg (TR)	Represented By Jeffrey S Shinbrot
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 17, 2020

Hearing Room 1675

2:30 PM

2:19-20416 Susie L Wong

Chapter 7

#22.00 Hearing re: Motion to withdraw as counsel for debtor

Docket 86

Tentative Ruling:

Updated tentative ruling as of 11/13/20. Service of the motion is defective because the proof of service indicates that debtor was not served at her mailing address of record at the post office box. Otherwise, no tentative ruling on the merits. Appearances are required on 11/17/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 17, 2020

Hearing Room 1675

2:30 PM

CONT... Susie L Wong

Chapter 7

operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Susie L Wong

Represented By
Chi L Ip

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 17, 2020

Hearing Room 1675

3:00 PM

2:14-29611 Nikolay Machevsky

Chapter 7

#23.00 Technical Pretrial Status Conference by Zoom re: Motion under F.R.C.P. Rule 60(b)(1), (3) and (6) to set aside one portion of entered order (1) Approving Compromise; (2) Authorizing Trustee to Transfer Real Property Free and Clear of Liens and Interests; (3) Requiring Debtor to Turn over Real Property of the Estate; and (4) Authorizing Trustee to Utilize U.S. Marshal and Other Law Enforcement
fr. 10/28/20, 11/4/20, 11/10/20

Docket 73

***** VACATED *** REASON: Matter to be heard at 1:00 p.m. instead of 3:00 p.m. per order entered on 11/16/20-mb.**

Tentative Ruling:

At the request of counsel for the Chapter 7 Trustee, the court is issuing an amended scheduling order rescheduling this status conference for 1:00 p.m. rather than at 3:00 p.m.

On November 17, 2020 at 1:00 p.m., the court will hold a Pre-Trial Technical Status Conference for the purpose of testing both the telephonic and videoconferencing technologies. At least one representative for each party should participate in the Pre-Trial Technical Status Conference. All participants are to conduct the pre-hearing testing from their intended location on the day of the trial. All participants are admonished not to discuss the substance of the trial at the Pre-Trial Technical Status Conference, but instead limit their comments to the functionality of the technology and any procedural matters that relating to the technology. The Pre-Trial Technical Status Conference will be conducted via Zoom for Government. Participants in the Pre-Trial Technical Status Conference will be connected with the

**United States Bankruptcy Court
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Hearing Room 1675

3:00 PM

CONT... Nikolay Machevsky

Chapter 7

courtroom via Zoom for Government but will not be physically present in the courtroom.

a. Video. Utilize the following link:

<https://cacb.zoomgov.com/j/1616650440>

and insert **Meeting ID:** 161 665 0440 and **Password:** 900152.

b. Audio only. Audio-only participants must call into Zoom for Government by calling

+1 669 254 5252 (San Jose), or

+1 646 828 7666 (New York)

and insert **Meeting ID:** 161 665 0440 and **Password:** 900152.

Updated tentative ruling as of 11/9/20. No tentative ruling on the merits. Appearances are required on 11/10/20, but counsel and self-represented parties must appear by telephone.

Revised and updated tentative ruling as of 11/4/20. At the continued hearing on 11/4/20, the court expects to call upon the United States Trustee for a report on his investigation. After this report, the court may ask the parties to address the following questions: (1) as movant is requesting that the court set aside the order approving the Binafard compromise/sale motion pursuant to FRCP 60(b)(1) and (3), In re Ex-Cel Concrete Co., Inc., 178 B.R. 198 (9th Cir. BAP 1995) (bankruptcy court abused its discretion to deny FRCP 60(b) motion when no notice given to secured creditor of motion to sell free and clear as sale order was void for lack of due process), based on a finding that the trustee failed to serve it as a creditor with the Binafard compromise motion as required by FRBP 2002(a)(2) and/or (3), does the evidence in the record consisting of the original and amended proofs of service, the declarations of the legal assistant for trustee's counsel, Casas, and movant's former counsel,

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3:00 PM

CONT...

Nikolay Machevsky

Chapter 7

Sment, conflict, require credibility determinations that necessitate an evidentiary hearing for the court to make findings to resolve disputed issues of material fact, FRBP 9014(d) and (e); Tyner v. Nicholson (In re Nicholson), 435 B.R. 622, 635-636 (9th Cir. BAP 2010); (2) were the terms of the Binafard compromise/sale motion fair and equitable under FRBP 9019 and do the circumstances of the compromise for sale of the real property warrant the court's discretion to apply the sale procedures of 11 U.S.C. 363, including overbidding, In re Berkeley Delaware Court, LLC, 834 F.3d 1036, 1040 (9th Cir. 2016) (the bankruptcy court has discretion to apply 11 U.S.C. 363 procedures to a sale of claims pursuant to a settlement approved under FRBP 9019); In re Mickey Thompson Entertainment Group, Inc., 292 B.R. 415, 421-422 and n. 7 (9th Cir. BAP 2003)(the bankruptcy court has discretion to impose formal sales procedures of 11 U.S.C. depending "upon the dynamics of the particular situation", and it was an abuse of discretion under the circumstances not to apply sales procedures where compromise was in effect just a sale); In re Douglas J. Roger, M.D., Inc., 393 F.Supp.3d 940 (C.D. Cal. 2019) (the bankruptcy court abused its discretion by overriding the trustee's business judgment seeking court approval for a compromise involving sale of claims before considering whether the compromise was fair and equitable under FRBP 9019 and whether overbidding under 11 U.S.C. 363 provided additional benefits to the estate); (3) is the evidence of contact between movant's representative, Linton, and trustee's counsel, Zamora, sufficient to put the trustee on notice of movant as a potential overbidder (i.e., the email correspondence of July 2, 2019 between Linton and Zamora, Exhibit D to the trustee's opposition to the reconsideration motion) to trigger the application of Local Bankruptcy Rule 6004-1(c) (1)(B) requiring a hearing on the Binafard compromise/sale motion pursuant to Local Bankruptcy Rule 9013-1(d) before a ruling on the motion.

Appearances are required on 11/4/20, but counsel and self-represented parties must appear by telephone.

Party Information

Debtor(s):

Nikolay Machevsky

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Courtroom 1675 Calendar**

Tuesday, November 17, 2020

Hearing Room 1675

3:00 PM

CONT... Nikolay Machevsky

Chapter 7

Trustee(s):

Wesley H Avery (TR)

Represented By
Nancy H Zamora

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 18, 2020

Hearing Room 1675

11:00 AM

2:17-15033 Shapphire Resources, LLC

Chapter 11

#1.00 Cont'd hearing re: Disclosure statement
fr. 6/3/20, 7/22/20, 9/16/20

Docket 164

Tentative Ruling:

Updated tentative ruling as of 11/16/20. Sustain objections of creditor U.S. Bank N.A. as trustee and deny approval of amended disclosure statement for the reasons stated in the objections. Debtor has not properly challenged the amount of the secured claim or lien of U.S. Bank valued in the proof of claim at \$1.2 million, which is prima facie correct pursuant to FRBP 3001(f), through an objection to the secured claim in excess of the proposed value of \$750,000 in the disclosure statement pursuant to FRBP 3007, a motion to value secured claim under FRBP 3012 or an adversary proceeding to determine validity, priority or extent of lien pursuant to FRBP 7001(2). The disclosure statement contains no admissible valuation evidence to support debtor's valuation of the collateral subject to U.S. Bank's lien at \$750,000, and according to creditor, debtor has failed to cooperate with the creditor's attempts to conduct an independent appraisal of the property. Also, the plan is patently unconfirmable since the priority tax claims must be paid within 5 years of the petition date or order for relief on 4/27/22 pursuant to 11 U.S.C. 1129(a)(9)(C), which is about 15 months from now, and the plan proposes to pay such claims off in 28 months.

Appearances are required on 11/18/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the

**United States Bankruptcy Court
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11:00 AM

CONT... Shapphire Resources, LLC

Chapter 11

COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 9/15/20. Off calendar. Continued by stipulation and order to 11/18/20 at 11:00 a.m. No appearances are required on 9/15/20.

Prior tentative ruling as of 6/2/20. Off calendar. Continued by stipulation between debtor and secured creditor MTGLQ Investors, LP, and order to 7/22/20 at 11:00 a.m. to allow these parties some additional time to negotiate consensual plan treatment of the secured claim. Counsel for debtor must notify by email or phone counsel for secured creditors MTGLQ and U.S. Bank, Mr. Garan and Ms. Weifenbach, of the continuance.

Prior tentative ruling as of 5/28/20.

Deny approval of amended disclosure statement for failure to contain adequate information.

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11:00 AM

CONT... Shapphire Resources, LLC

Chapter 11

Regarding creditor MTGLQ Investors, LP's objection to debtor's disclosure statement, the court has the following comments. Regarding the sufficiency of debtor's organizational status, debtor should address creditor's contention that it is not in active organizational status as a Utah limited liability company. Regarding its objection to Option 1, the treatment there is only an option and apparently offered to incentivize that creditor with a higher interest rate and valuation of the secured claim. However, it is only an alternative as the default is Option 2, which is the proposed treatment of the claim, which does not eliminate the unsecured claim in violation of due process of law.

Regarding creditor's objection to Option 2, debtor argues that it may proceed under the "new value" exception to the absolute priority rule, and whether the proposed new value is sufficient to qualify for the exception is probably an issue for plan confirmation. See *In re Ambanc La Mesa Ltd. Partnership*, 115 F.3d 650, 654-655 (9th Cir. 1997). As to the proposed payout of unsecured claims over 90 calendar quarters, or 22.5 years, the issue is also probably a plan confirmation issue. If a creditor objects, it is highly unlikely that the court would overrule the objection because 22.5 years is unreasonably long for unsecured creditors to be paid. If there were no objection, the creditors could consent to such treatment by voting in favor of the plan. In the court's view, debtor has an uphill battle to demonstrate a payout longer than 5 years on unsecured claims is fair and equitable, especially since this case has been pending for almost four years, resulting in a wait of almost nine years for unsecured creditors to be paid in this case.

Regarding the value of the Cold Plains property, there is apparently a dispute regarding valuation of the property and creditor's secured claim. The parties should advise whether they agree to a value or if there will be a factual dispute over valuation of the property and the secured claim. If there is going to be a dispute over the value of the secured claim, the court will require debtor to file a motion to value the secured claim under FRBP 3012 or an adversary proceeding pursuant to FRBP 7001 rather than litigating value through plan confirmation proceedings.

Regarding the creditor's objection to the reduction of creditor's secured claim by the amount of the adequate protection payments, the creditor is correct in asserting that creditor should be given credit for the rental income on the

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11:00 AM

CONT... **Shapphire Resources, LLC**

Chapter 11

property under 11 U.S.C. 552(b) and the holding of *In re Ambanc La Mesa Ltd. Partnership*, 115 F.3d at 654, though debtor is correct in asserting that the adequate protection payments reduce the amount of the secured claim pursuant to 11 U.S.C. 361(1) as creditor is undersecured and cannot claim postpetition interest as part of its secured claim. See also, *United Savings Association of Texas v. Timbers of Inwood Forest Associates, Ltd.*, 484 U.S. 365, 372-374 (1988). If debtor does not give credit to creditor on calculating its secured claim for the postpetition rental income contrary to *Ambanc La Mesa*, such would be grounds for denial of confirmation as not treating the dissenting secured class fairly and equitably, and would make the plan patently unconfirmable to warrant disapproval of the disclosure statement on the merits. See *In re Arnold*, 471 B.R. 578, 586 (Bankr. C.D. Cal. 2012).

Regarding the adequacy of the financial information for the disclosure statement, the court agrees with creditor's objection that the financial information provided is skimpy and inadequate. The income and expense statement is deficient because there is no information of expenses and there is no historical information of income and expenses. Appending bank statements and monthly operating reports is not an adequate substitute for providing historical information of income and expenses and reasonable future projections of income and expenses, which should be presented on a spreadsheet form, at least, two years back and five years forward.

The court will grant limited amount of time to debtor to further amend the disclosure statement to address these concerns, or may soon issue an order to show cause re: dismissal, given the lack of apparent progress in confirming plan in this case.

Appearances are required on 6/3/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, November 18, 2020

Hearing Room 1675

11:00 AM

CONT... Shapphire Resources, LLC

Chapter 11

parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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 18, 2020

Hearing Room 1675

11:00 AM

2:17-15033 Shapphire Resources, LLC

Chapter 11

#2.00 Cont'd status conference re: Management of chapter 11 case
fr. 6/3/20, 7/22/20, 9/16/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/17/20. The court has reviewed debtor's status report filed on 11/16/20, stating that it is committed to obtaining a consensual resolution of the dispute with the secured creditor U.S. Bank, N.A., as trustee, regarding plan treatment, and requesting a 60 day continuance of the status conference and disclosure statement hearing. The court will consider this request after hearing from the parties.

As stated in the original tentative ruling for the status conference on 11/18/20, due to the lack of progress in confirming a reorganization plan in this case, filed on 4/27/17, over 3.5 years ago, the court is considering issuing an order to show cause why this case should not be dismissed for substantial or continuing loss or diminution of the estate and the absence of a reasonable likelihood of rehabilitation pursuant to 11 U.S.C. 1112(b)(4)(A) or issuing an order setting a deadline for confirming the plan and dismissal of the case for failure to meet the deadline pursuant to 11 U.S.C. 1112(b)(4)(J) as the case has been pending for over 3.5 years without an approved disclosure statement or confirmed plan. Appearances are required on 11/18/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, November 18, 2020

Hearing Room 1675

11:00 AM

CONT... Shapphire Resources, LLC

Chapter 11

telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 9/11/20. No tentative ruling on the merits. Appearances are required on 9/16/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 18, 2020

Hearing Room 1675

11:00 AM

CONT... Shapphire Resources, LLC

Chapter 11

to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 6/2/20. Off calendar. Continued by stipulation between debtor and secured creditor MTGLQ Investors, LP, and order to 7/22/20 at 11:00 a.m. to allow these parties some additional time to negotiate consensual plan treatment of the secured claim. Counsel for debtor must notify by email or phone counsel for secured creditors MTGLQ and U.S. Bank, Mr. Garan and Ms. Weifenbach, of the continuance.

Prior tentative ruling as of 5/28/20. No tentative ruling on the merits.

Appearances are required on 6/3/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-

**United States Bankruptcy Court
Central District of California
Los Angeles
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Wednesday, November 18, 2020

Hearing Room 1675

11:00 AM

CONT... Shapphire Resources, LLC

Chapter 11

represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

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 18, 2020

Hearing Room 1675

11:00 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#3.00 Hearing re: Motion for order authorizing sale of debtor's assets free and clear of all liens and claims pursuant to 11 U.S.C. §363

Docket 241

Tentative Ruling:

Updated tentative ruling as of 11/16/20. No tentative ruling on the merits. Appearances are required on 11/18/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
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Wednesday, November 18, 2020

Hearing Room 1675

11:00 AM

CONT... People Who Care Youth Center, Inc.

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, November 18, 2020

Hearing Room 1675

11:00 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#4.00 Hearing re: Final approval of plan modification motion
fr. 11/10/20

Docket 232

Tentative Ruling:

Updated tentative ruling as of 11/16/20. Grant motion to modify plan on final basis for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are required on 11/18/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
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Wednesday, November 18, 2020

Hearing Room 1675

11:00 AM

CONT... People Who Care Youth Center, Inc.

Chapter 11

operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, November 18, 2020

Hearing Room 1675

11:00 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#4.10 Cont'd status conference re: Post confirmation of plan
fr. 10/14/20, 10/28/20, 11/10/20

Docket 119

Tentative Ruling:

Updated tentative ruling as of 11/16/20. No tentative ruling on the merits. Appearances are required on 11/18/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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**United States Bankruptcy Court
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Wednesday, November 18, 2020

Hearing Room 1675

11:00 AM

CONT... People Who Care Youth Center, Inc.

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, November 18, 2020

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#5.00 Cont'd status conference re: Debtor's objection to proof of claim no. 6 filed by the Kody Branch of California Chapter 7 bankruptcy trustee
fr. 2/19/20, 6/3/20, 8/19/20

Docket 291

***** VACATED *** REASON: Cont'd from 11/18/20 to 2/17/21 at 11:00 a.m. per stip & order entered on 9/9/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 11/16/20. Off calendar. Continued by stipulation and order to 2/17/21 at 11:00 a.m. No appearances are required on 11/18/20.

Prior tentative ruling as of 2/18/20. Off calendar. Continued by stipulation and order to 6/3/20 at 11:00 a.m. No appearances are required on 2/19/20.

Prior tentative ruling. Treat as a contested matter under FRBP 9014 since there are material issues of disputed fact. Parties should be prepared to discuss an appropriate schedule of pretrial and trial proceedings. Appearances are required on 6/5/19, 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 18, 2020

Hearing Room 1675

11:00 AM

2:20-18801 Hollywood for Children, Inc., a New York non-profi

Chapter 11

#6.00 Status conference re: Chapter 11 case (Subchapter V)

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/16/20. No tentative ruling on the merits. Appearances are required on 11/18/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
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Wednesday, November 18, 2020

Hearing Room 1675

11:00 AM

CONT... Hollywood for Children, Inc., a New York non-profi Chapter 11
demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Hollywood for Children, Inc., a New

Represented By
Daniel A Lev

Trustee(s):

Andrew W. Levin (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 18, 2020

Hearing Room 1675

11:30 AM

2:18-11475 Catherine Trinh

Chapter 11

#7.00 Cont'd hearing re: Disclosure statement
fr. 8/5/20, 9/9/20, 10/14/20

Docket 477

Tentative Ruling:

Updated tentative ruling as of 11/16/20. Having reviewed the fourth amended disclosure statement and plan, the court has a number of changes to correct typographical and style errors and to clarify terms: (1) references to sections of the Bankruptcy Code, 11 U.S.C., should be to "11 U.S.C.", not just the section symbols; (2) references to the Federal Rules of Bankruptcy Procedure should be spelled out, not just "Bankruptcy Rules," which could also refer to the Local Bankruptcy Rules; (3) references to "C.C.P." should be spelled out, i.e., California Code of Civil Procedure; (4) references to debtor's real estate assets should not just be to a street address without reference to the city and should be to "real property at 325 W. Las Flores Ave., Arcadia, California," for example; (5) the amount owed to debtor's bankruptcy counsel, Fredman Lieberman Pearl LLP of "\$500,0000 est." has an extra zero; (6) "Admin" in Non-Professional Admin Claim" should be spelled out as "Administrative"; (7) regarding Retention of Jurisdiction in Plan, Section V.H, delete last sentence of section, otherwise, the ability of the debtor or plan trustee to request reopening of the case may be unduly restricted; (8) regarding Discharge, Plan, Section VI.A, debtor needs to explain the legal authority for discharge of debtor upon the effective date if all creditors voting on the plan vote to accept the plan since such language does not appear to be compatible with 11 U.S.C. 1141(d)(5)(A) providing that the court may grant a discharge upon the completion of payments. Appearances are required on 11/18/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in

**United States Bankruptcy Court
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Wednesday, November 18, 2020

Hearing Room 1675

11:30 AM

CONT...

Catherine Trinh

Chapter 11

court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

**United States Bankruptcy Court
Central District of California
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Wednesday, November 18, 2020

Hearing Room 1675

11:30 AM

2:18-11475 Catherine Trinh

Chapter 11

#8.00 Cont'd status conference re: Management of chapter 11 case
fr. 8/5/20, 9/9/20, 10/14/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/16/20. No tentative ruling on the merits. Appearances are required on 11/18/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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Wednesday, November 18, 2020

Hearing Room 1675

11:30 AM

CONT... Catherine Trinh

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

**United States Bankruptcy Court
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Los Angeles
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Wednesday, November 18, 2020

Hearing Room 1675

11:30 AM

2:18-11475 Catherine Trinh

Chapter 11

Adv#: 2:19-01506 Trinh v. Second Generation, a California corporation

#9.00 Cont'd status conference re: Complaint for: (1) declaratory relief; (2) avoidance and recovery of preferential transfer; (3) recovery of property; (4) preservation of a preferential transfer; and (5) disallowance of claim
fr. 5/19/20, 7/21/20, 10/20/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/17/20. Off calendar. Continued by stipulation and order to 2/17/21 at 11:30 a.m. No appearances are required on 11/18/20.

Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

Defendant(s):

Second Generation, a California

Pro Se

Plaintiff(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 18, 2020

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

#10.00 Cont'd hearing re: Motion for summary judgment or partial summary judgment
fr. 10/7/20

Docket 41

Tentative Ruling:

Updated tentative ruling as of 11/16/20. No tentative ruling on the merits. Appearances are required on 11/18/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 18, 2020

Hearing Room 1675

1:30 PM

CONT... **Avi Cohen**

Chapter 7

operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 10/5/20. Off calendar. Continued to 11/18/20 at 1:30 p.m. by order granting in part and denying in part defendant's motion for continuance. No appearances are required on 10/7/20.

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
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Wednesday, November 18, 2020

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

- #11.00** 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) fr. 6/23/20, 7/21/20, 10/7/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/16/20. No tentative ruling on the merits. Appearances are required on 11/18/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, November 18, 2020

Hearing Room 1675

1:30 PM

CONT...

Avi Cohen

Chapter 7

the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 10/5/20. Off calendar. Continued on the court's own motion to 11/18/20 at 1:30 p.m. by order granting in part and denying in part defendant's motion for continuance of hearing on plaintiff's motion for summary judgment. No appearances are required on 10/7/20.

Prior tentative ruling as of 7/17/20. No tentative ruling on the merits. The court will discuss the pretrial statement submitted by plaintiff. Defendant needs to explain why he did not sign the pretrial statement submitted by plaintiff. The court will require the parties to meet and confer and agree to a joint pretrial statement before setting the matter for trial. The court will discuss with the parties whether the trial will be conducted by videoconference in light of the covid-19 pandemic. Appearances are required on 7/21/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 6/19/20. The court has reviewed plaintiff's unilateral pretrial statement and supporting declaration. No tentative ruling on the merits. The court will discuss proceeding with the evidentiary hearing remotely by videoconferencing in light of the current pandemic and has issued an order describing proposed remote trial procedures for the hearing. Appearances are required on 6/23/20, but counsel and self-represented parties must appear by telephone.

Party Information

Debtor(s):

Avi Cohen

Represented By

**United States Bankruptcy Court
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CONT... Avi Cohen

Chapter 7

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
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Wednesday, November 18, 2020

Hearing Room 1675

2:30 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.

#12.00 Cont'd hearing re: Motion to compel discovery
fr. 10/29/20, 10/28/20

Docket 763

***** VACATED *** REASON: Cont'd from 11/18/20 to 12/2/20 at 2:30 p.m.
per stip & order entered on 11/16/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 11/16/20. Off calendar. Continued by stipulation and order to 12/2/20 at 2:30 p.m. No appearances are required on 11/18/20.

Prior tentative ruling as of 10/27/20. Off calendar. Continued by stipulation and order to 11/18/20 at 2:30 p.m. No appearances are required on 10/28/20.

Prior tentative ruling as of 10/26/20. The court is not inclined to rule on the motion to compel discovery at this time because the motion is not ripe for adjudication as compliance with LBR 7026-1(c) requiring a joint discovery dispute stipulation is lacking. Also, apparently, the parties have not had a discovery dispute conference pursuant to LBR 7026-1(c). Preliminarily, the same concerns regarding movant's FRBP 2004 examination of the plan agent and the reorganized debtor are probably applicable here either based on issue preclusion or the law of the case doctrine. Otherwise, no tentative ruling on the merits, and the court is inclined to continue or vacate the hearing so that the parties may comply with LBR 7026-1(c). Appearances are required on 10/28/20, but counsel and self-represented parties must 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 18, 2020

Hearing Room 1675

2:30 PM

CONT... Art and Architecture Books of the 21st Century
Alan I Nahmias

Chapter 11

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 Ronald Rus Fahim Farivar Brian L Davidoff Keith Patrick Banner
Jennifer Kellen	Represented By J. Bennett Friedman
Michael D. Smith	Represented By Brian L Davidoff
Kamran Gharibian	Represented By Brian L Davidoff
Daryoush Dayan	Represented By Brian L Davidoff
Cathay Bank, a California	Represented By Ekwan E Rhow Elliot C Harvey Schatmeier
Jennifer Kellen	Represented By Michael D Sobkowiak

**United States Bankruptcy Court
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Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, November 18, 2020

Hearing Room 1675

2:30 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
Jason Balitzer
Steven Thomas
Stephen Sorensen

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 19, 2020

Hearing Room 1675

9:00 AM

2:14-29611 Nikolay Machevsky

Chapter 7

#1.00 EVIDENTIARY HEARING BY ZOOM RE: Motion under F.R.C.P. Rule 60(b)(1), (3) and (6) to set aside one portion of entered order (1) Approving Compromise; (2) Authorizing Trustee to Transfer Real Property Free and Clear of Liens and Interests; (3) Requiring Debtor to Turn over Real Property of the Estate; and (4) Authorizing Trustee to Utilize U.S. Marshal and Other Law Enforcement
fr. 10/28/20, 11/4/20, 11/10/20

Docket 73

Tentative Ruling:

The Court hereby provides notice to the parties to the contested matter of the motion of Creditor Data Leverage, LLC, for reconsideration of the order granting the motion of Chapter 7 Trustee for order approving compromise and authorizing trustee to transfer real property free and clear of liens and interests that the Court will hold the evidentiary hearing on the reconsideration motion on **November 19, 2020 at 9:00 a.m.**, which will be conducted via Zoom for Government. Participants will be connected to the courtroom using Zoom for Government but will not be physically present in the courtroom. Participants must connect to the Zoom for Government courtroom no later than 8:50 a.m. and check in with the law clerk/DECRO. If a trial participant is having problems connecting to the trial, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Evidentiary Hearing: November 19, 2020 at 9:00 a.m.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Thursday, November 19, 2020

Hearing Room 1675

9:00 AM

CONT...

Nikolay Machevsky

Chapter 7

- a. Video. Utilize the following link:
<https://cacb.zoomgov.com/j/1606187779>
and insert **Meeting ID**: 160 618 7779 and **Password**: 4C%.jz

- b. Audio only. Audio-only participants must call into Zoom for
Government by calling: +1 669 254 5252, or +1 646 828 7666;
and insert **Meeting ID**: 160 618 7779 and **Password**: 806754

Prior tentative ruling as of 11/9/20. No tentative ruling on the merits. Appearances are required on 11/10/20, but counsel and self-represented parties must appear by telephone.

Revised and updated tentative ruling as of 11/4/20. At the continued hearing on 11/4/20, the court expects to call upon the United States Trustee for a report on his investigation. After this report, the court may ask the parties to address the following questions: (1) as movant is requesting that the court set aside the order approving the Binafard compromise/sale motion pursuant to FRCP 60(b)(1) and (3), *In re Ex-Cel Concrete Co., Inc.*, 178 B.R. 198 (9th Cir. BAP 1995) (bankruptcy court abused its discretion to deny FRCP 60(b) motion when no notice given to secured creditor of motion to sell free and clear as sale order was void for lack of due process), based on a finding that the trustee failed to serve it as a creditor with the Binafard compromise motion as required by FRBP 2002(a)(2) and/or (3), does the evidence in the record consisting of the original and amended proofs of service, the declarations of the legal assistant for trustee's counsel, Casas, and movant's former counsel, Sment, conflict, require credibility determinations that necessitate an evidentiary hearing for the court to make findings to resolve disputed issues of material fact, FRBP 9014(d) and (e); *Tyner v. Nicholson* (*In re Nicholson*), 435 B.R. 622, 635-636 (9th Cir. BAP 2010); (2) were the terms of the Binafard compromise/sale motion fair and equitable under FRBP 9019 and do the circumstances of the compromise for sale of the real property warrant the court's discretion to apply the sale procedures of 11 U.S.C. 363, including overbidding, *In re Berkeley Delaware Court, LLC*, 834 F.3d 1036, 1040 (9th Cir. 2016) (the bankruptcy court has discretion to apply 11 U.S.C. 363

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Thursday, November 19, 2020

Hearing Room 1675

9:00 AM

CONT...

Nikolay Machevsky

Chapter 7

procedures to a sale of claims pursuant to a settlement approved under FRBP 9019); In re Mickey Thompson Entertainment Group, Inc., 292 B.R. 415, 421-422 and n. 7 (9th Cir. BAP 2003)(the bankruptcy court has discretion to impose formal sales procedures of 11 U.S.C. depending "upon the dynamics of the particular situation", and it was an abuse of discretion under the circumstances not to apply sales procedures where compromise was in effect just a sale); In re Douglas J. Roger, M.D., Inc., 393 F.Supp.3d 940 (C.D. Cal. 2019) (the bankruptcy court abused its discretion by overriding the trustee's business judgment seeking court approval for a compromise involving sale of claims before considering whether the compromise was fair and equitable under FRBP 9019 and whether overbidding under 11 U.S.C. 363 provided additional benefits to the estate); (3) is the evidence of contact between movant's representative, Linton, and trustee's counsel, Zamora, sufficient to put the trustee on notice of movant as a potential overbidder (i.e., the email correspondence of July 2, 2019 between Linton and Zamora, Exhibit D to the trustee's opposition to the reconsideration motion) to trigger the application of Local Bankruptcy Rule 6004-1(c) (1)(B) requiring a hearing on the Binafard compromise/sale motion pursuant to Local Bankruptcy Rule 9013-1(d) before a ruling on the motion.

Appearances are required on 11/4/20, but counsel and self-represented parties must appear by telephone.

Party Information

Debtor(s):

Nikolay Machevsky

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Nancy H Zamora

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, December 1, 2020

Hearing Room 1675

10:30 AM

2:20-17121 Juanita Lucia Massie

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(Christina Lawson and Louis Chambers VS Debtor)

Docket 14

***** VACATED *** REASON: Settled by Stipulation per order entered on
11/16/20-mb.**

Tentative Ruling:

Off calendar. Motion resolved by stipulation and order. No appearances are required on 12/1/20.

Party Information

Debtor(s):

Juanita Lucia Massie

Represented By
Shirlee L Bliss

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 1, 2020

Hearing Room 1675

10:30 AM

2:20-19559 Cynthia Beltran

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Cab West, LLC VS Debtor)

Docket 7

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 12/1/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Cynthia Beltran

Represented By
D Justin Harelik

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, December 1, 2020

Hearing Room 1675

10:30 AM

2:20-19559 Cynthia Beltran

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(American Honda Finance Corporation VS Debtor)

Docket 10

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 12/1/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Cynthia Beltran

Represented By
D Justin Harelik

Movant(s):

American Honda Finance

Represented By
Vincent V Frounjian

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, December 1, 2020

Hearing Room 1675

11:00 AM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:12-01830 Clark v. Farris-Ellison et al

#4.00 Show cause hearing why defendant's attorney James Bryant should not be sanctioned for failure to appear at the October 27, 2020 pretrial conference

Docket 471

Tentative Ruling:

Updated tentative ruling as of 11/27/20. No tentative ruling on the merits. Appearances are required on 12/1/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall

**United States Bankruptcy Court
Central District of California
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Tuesday, December 1, 2020

Hearing Room 1675

11:00 AM

CONT... Rita Gail Farris-Ellison

Chapter 7

operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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
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Tuesday, December 1, 2020

Hearing Room 1675

11:00 AM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:12-01830 Clark v. Farris-Ellison et al

#5.00 Cont'd hearing re: Plaintiff/creditor, James Lee Clark's notice of motion to compel further discovery responses to defendant/debtor Rita Gail Ellison-Farris fr. 7/15/20, 9/23/20, 10/27/20

Docket 377

Tentative Ruling:

Updated tentative ruling as of 11/30/20. See tentative ruling for item number 13.

Party Information

Debtor(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Defendant(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

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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
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Tuesday, December 1, 2020

Hearing Room 1675

11:00 AM

CONT... Rita Gail Farris-Ellison

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, December 1, 2020

Hearing Room 1675

11:00 AM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:12-01830 Clark v. Farris-Ellison et al

#6.00 Cont'd hearing re: Motion to abstain
fr. 7/15/20, 9/23/20, 10/27/20

Docket 414

Tentative Ruling:

Updated tentative ruling as of 11/30/20. See tentative ruling for item number 13.

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
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Tuesday, December 1, 2020

Hearing Room 1675

11:00 AM

CONT... Rita Gail Farris-Ellison

Chapter 7

**United States Bankruptcy Court
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Los Angeles
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Tuesday, December 1, 2020

Hearing Room 1675

11:00 AM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:12-01830 Clark v. Farris-Ellison et al

#7.00 Cont'd hearing re: Motion to amend adversary complaint and to add Jennifer, quiet title,
cancel the deed and note
fr. 7/15/20, 9/23/20, 10/27/20

Docket 399

Tentative Ruling:

Updated tentative ruling as of 11/30/20. See tentative ruling for item number 13.

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**

Tuesday, December 1, 2020

Hearing Room 1675

11:00 AM

CONT...

Rita Gail Farris-Ellison

Christian T Kim

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, December 1, 2020

Hearing Room 1675

11:00 AM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:12-01830 Clark v. Farris-Ellison et al

#8.00 Cont'd hearing re: Plaintiff/creditor, James Lee /Clark's notice of motion to compel inspection and to produce documents and response from and to defendant/debtor Rita Gail Ellison-Farris; request for terminating sanctions fr. 7/15/20, 9/23/20, 10/27/20

Docket 390

Tentative Ruling:

Updated tentative ruling as of 11/30/20. See tentative ruling for item number 13.

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
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Tuesday, December 1, 2020

Hearing Room 1675

11:00 AM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:12-01830 Clark v. Farris-Ellison et al

#9.00 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. 7/15/20, 9/23/20, 10/27/20

Docket 351

Tentative Ruling:

Updated tentative ruling as of 11/30/20. See tentative ruling for item number 13.

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
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Tuesday, December 1, 2020

Hearing Room 1675

11:00 AM

CONT...

Rita Gail Farris-Ellison

Christian T Kim

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, December 1, 2020

Hearing Room 1675

11:00 AM

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. 7/15/20, 9/23/20, 10/27/20

Docket 362

Tentative Ruling:

Updated tentative ruling as of 11/30/20. See tentative ruling for item number 13.

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

**United States Bankruptcy Court
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Tuesday, December 1, 2020

Hearing Room 1675

11:00 AM

CONT... Rita Gail Farris-Ellison

Chapter 7

Trustee(s):

Sam S Leslie (TR)

Represented By
Christian T Kim

**United States Bankruptcy Court
Central District of California
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Tuesday, December 1, 2020

Hearing Room 1675

11:00 AM

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 to compel inspection and to produce documents and responses from and to defendant/debtor Rita Gail Ellison-Farris; request for terminating sanctions fr. 7/15/20, 9/23/20, 10/27/20

Docket 412

Tentative Ruling:

Updated tentative ruling as of 11/30/20. See tentative ruling for item number 13.

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

**United States Bankruptcy Court
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11:00 AM

CONT... Rita Gail Farris-Ellison

Chapter 7

Trustee(s):

Sam S Leslie (TR)

Represented By
Christian T Kim

**United States Bankruptcy Court
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Tuesday, December 1, 2020

Hearing Room 1675

11:00 AM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:12-01830 Clark v. Farris-Ellison et al

#12.00 Cont'd 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 fr. 7/15/20, 9/23/20, 10/27/20

Docket 397

Tentative Ruling:

Updated tentative ruling as of 11/30/20. See tentative ruling for item number 13.

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

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 1, 2020

Hearing Room 1675

11:00 AM

CONT... Rita Gail Farris-Ellison

Chapter 7

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 1, 2020

Hearing Room 1675

11:00 AM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:12-01830 Clark v. Farris-Ellison et al

- #13.00** Cont'd pretrial 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. 7/15/20, 9/23/20, 10/27/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/27/20. No tentative ruling on the merits. Appearances are required on 12/1/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 1, 2020

Hearing Room 1675

11:00 AM

CONT... Rita Gail Farris-Ellison

Chapter 7

reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling. No tentative ruling on the merits. Since the parties attended mediation, which did not result in settlement, the court will discuss setting a pretrial conference and a deadline for filing a joint pretrial stipulation. The court will also discuss how the trial will be conducted because the court is not conducting in person hearings at this time. The court may conduct the trial on Zoom depending on the parties' technical capabilities. Appearances are required on 9/23/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 10/22/20. No tentative ruling on the merits. Appearances are required on 10/27/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling. No tentative ruling on the merits. Since the parties attended mediation, which did not result in settlement, the court will discuss setting a pretrial conference and a deadline for filing a joint pretrial stipulation. The court will also discuss how the trial will be conducted because the court is not conducting in person hearings at this time. The court may conduct the trial on Zoom depending on the parties' technical capabilities. Appearances are required on 9/23/20, but counsel and self-represented parties must appear by telephone.

Party Information

Attorney(s):

Deborah Bronner

Represented By
Deborah R Bronner

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 1, 2020

Hearing Room 1675

11:00 AM

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

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**

Tuesday, December 1, 2020

Hearing Room 1675

11:00 AM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:14-01088 Clark v. Farris-Ellison

#14.00 Show cause hearing why defendant's attorney James Bryant should not be sanctioned for failure to appear at the October 27, 2020 pretrial conference

Docket 82

Tentative Ruling:

Updated tentative ruling as of 11/27/20. No tentative ruling on the merits. Appearances are required on 12/1/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, December 1, 2020

Hearing Room 1675

11:00 AM

CONT... Rita Gail Farris-Ellison

Chapter 7

operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 1, 2020

Hearing Room 1675

11:00 AM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:14-01088 Clark v. Farris-Ellison

#15.00 Cont'd pretrial 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. 7/15/20, 9/23/20, 10/27/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/30/20. See tentative ruling for item number 13.

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 1, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01258 Goodrich v. Yeftadonay

#16.00 Cont'd hearing re: Motion for entry of default judgement against defendant Jan Yeftadonay Pursuant to Federal Rule of Civil Procedure 55 as Incorporated by Federal Rule of Bankruptcy Procedure 7055 and Local bankruptcy Rule 7055-1 fr. 8/4/20, 8/18/20, 9/29/20

Docket 15

Tentative Ruling:

Updated tentative ruling as of 11/30/20. Off calendar. Plaintiff filed a notice of withdrawal of the motion on 11/30/20. No appearances are required on 12/1/20.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour
Keith F Rouse

Defendant(s):

Jan Yeftadonay

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, December 1, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01258 Goodrich v. Yeftadonay

- #17.00** Cont'd status conference re: Complaint for: (1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; (2) Recovery of property pursuant to 11 U.S.C. § 550; (3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; (4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and (5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 8/4/20, 8/18/20, 9/29/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/30/20. No tentative ruling on the merits. Appearances are required on 12/1/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than

**United States Bankruptcy Court
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Los Angeles
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Tuesday, December 1, 2020

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1:30 PM

CONT... SOCALDEAL INC

Chapter 7

the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Jan Yeftadonay

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, December 1, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01435 Goodrich v. Amazon Loan Services

#18.00 Cont'd status conference re: Complaint for: 1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; 2) Recovery of property pursuant to 11 U.S.C. § 550; 3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; 4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and 5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 9/1/20, 9/29/20, 10/27/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/30/20. No tentative ruling on the merits. The court notes that plaintiff filed an amended notice of the motion to approve compromise of this adversary proceeding on 11/30/20, but the service list did not include one creditor listed on the creditor mailing matrix, Harvest Commercial Capital, LLC. Appearances are required on 12/1/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, December 1, 2020

Hearing Room 1675

1:30 PM

CONT... **SOCALDEAL INC**

Chapter 7

need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 10/22/20. Trustee has filed a motion to approve No tentative ruling on the merits. Appearances are required on 10/27/20, but counsel and self-represented parties must appear by telephone.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Amazon Loan Services

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 1, 2020

Hearing Room 1675

1:30 PM

2:19-22853 Arka Sangbarani Oroojian

Chapter 7

Adv#: 2:20-01020 Yates v. Oroojian

#19.00 Cont'd status conference re: Complaint to determine dischargeability of debt pursuant to 11 U.S.C. §523 (a)(6); demand for jury trial fr. 4/7/20, 5/5/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/27/20. No tentative ruling on the merits. Appearances are required on 12/1/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, December 1, 2020

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CONT... Arka Sangbarani Oroojian

Chapter 7

Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior updated and supplemental tentative ruling as of 5/4/20. After considering the supplemental briefing of the parties ordered by the court, the court provides the following as its supplemental tentative ruling to its tentative ruling of 5/1/20: The court will abstain from determining the underlying state law tort claims that plaintiff has against defendant pursuant to statutory permissive abstention under 28 U.S.C. 1334(c)(1) and nonstatutory abstention under *Colorado River Water Conservation District v. United States*, 424 U.S. 800 (1976). The factors that the court has considered for permissive abstention are set forth in *In re Tucson Estates, Inc.*, 912 F.2d 1162, 1167 (9th Cir. 1990): 1) the effect or lack thereof on the efficient administration of the estate if a Court recommends abstention (favoring abstention for lack of effect on efficient administration of the estate), (2) the extent to which state law issues predominate over bankruptcy issues (favoring abstention since plaintiff's tort claims are governed by state law), (3) the difficulty or unsettled nature of the applicable law (neutral since the applicable law is not difficult or unsettled), (4) the presence of a related proceeding commenced in state court or other nonbankruptcy court (favoring abstention, there is pending state law court action stayed by this bankruptcy case), (5) the jurisdictional basis, if any, other than 28 U.S.C. § 1334 (favoring abstention since the only basis for jurisdiction is the court's related to jurisdiction), (6) the degree of relatedness or remoteness of the proceeding to the main bankruptcy case (favoring abstention since the dispute in the adversary proceeding is remote to the main bankruptcy case), (7) the substance rather than form of an asserted "core" proceeding (favoring abstention because the underlying tort claims are noncore proceedings), (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 (favoring abstention, severance of state law claims to be tried in state court from the dischargeability claim can be accomplished), (9) the burden of [the bankruptcy court's] docket (favoring

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CONT... Arka Sangbarani Oroojian

Chapter 7

abstention, trying the tort claim would be burdensome on the bankruptcy court or district court's docket pursuant to 28 U.S.C. 157(b)(5)), (10) the likelihood that the commencement of the proceeding in bankruptcy court involves forum shopping by one of the parties (this factor is neutral as the court makes no determination of forum shopping), (11) the existence of a right to a jury trial (favoring abstention since the parties have the right to jury trial on the tort claims), and (12) the presence in the proceeding of nondebtor parties (not favoring abstention since the only parties to the dispute are before the court). Based on the overwhelming presence of factors favoring abstention, the court exercises permissive abstention as to plaintiff's tort claims underlying her nondischargeability action.

The court also exercises nonstatutory Colorado River abstention as the factors for such abstention favor abstention because: (1) state law provides the rule of decision on the merits; (2) the state court proceeding is adequate to protect the parties' rights; and (3) the state court obtained and exercised jurisdiction first as the state court action was ready to go to trial before defendant filed his bankruptcy case, staying that action. *In re Bellucci*, 119 B.R. 763, 775-776 (Bankr. E.D. Cal. 1990) (citations omitted). "Under the Colorado River doctrine, a federal trial court has discretion in 'exceptional circumstances' and despite the general obligation to exercise jurisdiction, to stay or dismiss an action for reasonable of wise judicial administration solely because of parallel litigation in state court." *Id.* At 775 (citations omitted). Thus, the court abstains from hearing plaintiff's state law tort claims and stays this action until the state court determines those claims, and afterwards, the court will then determine plaintiff's debt dischargeability claims in this adversary proceeding.

In so abstaining, the court will also grant stay relief sua sponte to allow the state court action to proceed to judgment, but not permitting enforcement of any judgment against the debtor or property of the estate unless further stay relief is obtained by order of the court or by operation of statute. *In re Bellucci*, 119 B.R. at 778-779; accord, *In re Calkins*, BAP No. AZ-17-1284-LBTa, 2019 WL 1594016 (9th Cir. BAP 2019), slip op. at *4.

Prior tentative ruling as of 5/1/20. The court has reviewed the supplemental briefing of the parties regarding the court's prior tentative ruling on abstention

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Los Angeles
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CONT... Arka Sangbarani Oroojian

Chapter 7

and stay relief. No tentative ruling on the merits. Appearances are required on 5/5/20 to discuss whether further proceedings should be set, but counsel and self-represented parties must appear by telephone.

Revised tentative ruling as of 4/6/20. Having read the joint status report noting pending litigation in the state court to liquidate any alleged debt of defendant to plaintiff from alleged personal injuries based on tort, which is stayed by the underlying bankruptcy case, the court is inclined to abstain and grant stay relief to allow plaintiff's state court action to proceed to liquidate the debt, if any, either under mandatory or permissive abstention under 28 U.S.C. 1334(c)(1) or (2). See *In re Tucson Estates, Inc.*, 912 F.2d 1162 (9th Cir. 1990). In this matter, plaintiff seeks a determination of debt dischargeability where the alleged debt based on personal injury torts has not been liquidated. Debt dischargeability cannot be determined until the liability for the debt has been determined and liquidated. The underlying tort liability is not pleaded in the adversary complaint, and it is unclear from the pleadings where the underlying tort liability should be tried and determined, i.e., whether in this adversary proceeding or in the state court proceeding, which is now stay by the bankruptcy case. One consideration is that any personal injury tort claims if not tried in state court must be tried in the district court in this district pursuant to 28 U.S.C. 157(b)(4), though perhaps the parties could consent to this court so trying these claims. If the court abstains, the court would stay the pending adversary proceeding for dischargeability of debt pending the outcome of the state court tort litigation. The court intends to issue an order to show cause why this court should not abstain from hearing the unpled but underlying personal injury tort claims, but otherwise, retaining the debt dischargeability claim to be determined after the alleged debt liability has been determined. The court would consider the factors for permissive abstention and stay relief in *In re Tucson Estates, Inc.*, 912 F.2d at 1166-1167. In reviewing the status report, the court is of the view that the proposed pretrial and trial schedule is unrealistic, given the social turmoil from the current coronavirus pandemic and the need for extensive discovery proceedings relating to determination of the underlying alleged tort liability and the need for a trial of the personal injury tort claims in the district court if the court does not abstain. Appearances are required on 4/7/20, but counsel must appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, December 1, 2020

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CONT... Arka Sangbarani Oroojian

Chapter 7

Debtor(s):

Arka Sangbarani Oroojian

Represented By
Roland H Kedikian

Defendant(s):

Arka Sangbarani Oroojian

Pro Se

Plaintiff(s):

Rhianna Yates

Represented By
Jesenia Martinez

Trustee(s):

Sam S Leslie (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, December 1, 2020

Hearing Room 1675

1:30 PM

2:20-15742 Sara Victoria

Chapter 7

Adv#: 2:20-01632 Adam, DC et al v. Victoria

#20.00 Status conference re: Complaint for determination of nondischargeability of debt pursuant to 11 U.S.C. §§523(a)(2)(A), 523(a)(4), and 523(a)(6)

Docket 1

Tentative Ruling:

The court notes that in the adversary complaint plaintiffs demanded a jury trial, but there is no jury trial right for the claims under 11 U.S.C. 523(a)(2), (4) and (6) in this adversary proceeding since the debt dischargeability claims are equitable in nature. In re Hashemi, 104 F.3d 1122, 1124-1125 and n. 1 (9th Cir. 1997). The court also notes that the underlying alleged debts have not been liquidated yet, though plaintiffs have a pending action in state court, asserting state law tort claims against defendant, which action is now stayed due to the automatic stay arising from this bankruptcy case. Although the determination of claims, whether the alleged debts of defendant are dischargeable, is equitable, the determination of the existence of the alleged debts may be legal in nature since the alleged debts would arise in tort under state law, and it is an open question on that issue, and there may be a right to a jury trial. Id. at 1125 and n. 1. The issue of whether a partial right to jury trial exists here would have to be briefed. If there is a right to jury trial in part in this case, this bankruptcy court can hold a civil jury trial with the consent of the parties, or the parties could waive jury trial if there is such a right. Alternatively, the court could permissively abstain under 28 U.S.C. 1334(c)(1) and grant stay relief to allow the state court to determine the alleged debts under state law with or without the assistance of a civil jury, and stay this adversary proceeding until the state court determines the underlying debts, and then determine debt dischargeability afterwards. See In re Oroojian, Adv. No. 2:20-ap-01020 RK, 2020 WL 2201939 (Bankr. C.D. Cal., May 5, 2020); see also, In re Eber, 687 F.3d 1123, 1128 and n. 5 (9th Cir. 2012) (bankruptcy court has exclusive jurisdiction over debt dischargeability claims under 11 U.S.C. 523(a)(2), (4) and (6), citing 11 U.S.C. 523(c)).

Assuming that the court adopts its tentative ruling on defendant's motion to dismiss also on calendar on 12/1/20 and denies the motion, and the court

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CONT...

Sara Victoria

Chapter 7

does not abstain from determining the merits of the underlying alleged debts as discussed above, set a discovery cutoff date of 5/31/20 and a postdiscovery status conference on 6/15/21 at 1:30 p.m. with a joint status report due on 6/8/21. Plaintiffs to lodge a proposed scheduling order within 7 days of hearing.

Appearances are required on 12/1/20, but counsel and self-represented parties must appear by telephone. With the consent of the parties, the court can advance the hearing on defendant's motion to dismiss on the 2:30 p.m. hearing calendar to be conducted with the status conference.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 1, 2020

Hearing Room 1675

1:30 PM

CONT... Sara Victoria

Chapter 7

hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Sara Victoria

Represented By
Freddie V Vega

Defendant(s):

Sara Victoria

Pro Se

Plaintiff(s):

Scott Adam, DC

Represented By
Aisha Shelton Adam
Kerry A. Moynihan

Adam Chiropractic and Wellness

Represented By
Aisha Shelton Adam
Kerry A. Moynihan

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 1, 2020

Hearing Room 1675

2:00 PM

2:13-20962 Soghra Ganji

Chapter 7

#21.00 Hearing re: Order to show cause why (1) debtor's motion to avoid lien of Citibank, N.A. pursuant to 11 U.S.C. §522(f) should not be denied with prejudice and (2) this case should not be closed due to lack of prosecution

Docket 65

Tentative Ruling:

Updated tentative ruling as of 11/27/20. Debtor needs to address the issues raised in the order to show cause. See In re Chiu, 266 B.R. 743, 751 (9th Cir. BAP 2001)(the operative date for determining the impairment of debtor's exemption by a lien pursuant to 11 U.S.C. 522(f) is the petition date). Appearances are required on 12/1/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, December 1, 2020

Hearing Room 1675

2:00 PM

CONT... Soghra Ganji

Chapter 7

reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Soghra Ganji

Represented By
Michael H Moghtader

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, December 1, 2020

Hearing Room 1675

2:30 PM

2:11-17125 Ramon De Jesus Contreras and Maria Del Rosario

Chapter 7

#22.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Carolyn A. Dye, Chapter 7 Trustee]

Docket 626

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the final report and fee application of the trustee, the court determines that oral argument on the final report and fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final report and fee application, rules on the final report and fee application on the papers, and approves the final report and fee application for the reasons stated in the final report and fee application and for lack of timely written opposition. No appearances are required on 12/1/20. Trustee to lodge a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Ramon De Jesus Contreras

Represented By
Andrew Edward Smyth

Joint Debtor(s):

Maria Del Rosario Contreras

Represented By
Andrew Edward Smyth

Trustee(s):

Carolyn A Dye (TR)

Represented By
James A Dumas Jr
John K Park
Christian T Kim

**United States Bankruptcy Court
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2:30 PM

CONT...

Ramon De Jesus Contreras and Maria Del Rosario

Miri Kim Wakuta

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, December 1, 2020

Hearing Room 1675

2:30 PM

2:11-17125 Ramon De Jesus Contreras and Maria Del Rosario

Chapter 7

#23.00 Hearing re: Application for fees and expenses
[LEA Accountancy, LLP, Accountant for Chapter 7 Trustee]

Docket 619

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the final fee application of accountant for the trustee, the court determines that oral argument on the final fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final fee application, rules on the final fee application on the papers, and approves the final fee application for the reasons stated in the final fee application and for lack of timely written opposition. No appearances are required on 12/1/20. Applicant or trustee to lodge a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Ramon De Jesus Contreras

Represented By
Andrew Edward Smyth

Joint Debtor(s):

Maria Del Rosario Contreras

Represented By
Andrew Edward Smyth

Trustee(s):

Carolyn A Dye (TR)

Represented By
James A Dumas Jr
John K Park
Christian T Kim
Miri Kim Wakuta

**United States Bankruptcy Court
Central District of California
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Tuesday, December 1, 2020

Hearing Room 1675

2:30 PM

2:11-17125 Ramon De Jesus Contreras and Maria Del Rosario

Chapter 7

#24.00 Hearing re: Application for fees and expenses
[Dumas & Associates, Attorney for Chapter 7 Trustee]

Docket 606

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the final fee application of attorney for the trustee, the court determines that oral argument on the final fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final fee application, rules on the final fee application on the papers, and approves the final fee application for the reasons stated in the final fee application and for lack of timely written opposition. No appearances are required on 12/1/20. Applicant or trustee to lodge a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Ramon De Jesus Contreras

Represented By
Andrew Edward Smyth

Joint Debtor(s):

Maria Del Rosario Contreras

Represented By
Andrew Edward Smyth

Trustee(s):

Carolyn A Dye (TR)

Represented By
James A Dumas Jr
John K Park

**United States Bankruptcy Court
Central District of California
Los Angeles
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2:30 PM

CONT...

Ramon De Jesus Contreras and Maria Del Rosario

Christian T Kim

Miri Kim Wakuta

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 1, 2020

Hearing Room 1675

2:30 PM

2:11-17125 Ramon De Jesus Contreras and Maria Del Rosario

Chapter 7

#25.00 Hearing re: Application for fees and expenses
[Michael J. Berger, Debtor's Attorney - Chapter 11]

Docket 325

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the final fee application of attorney for debtors in possession, the court determines that oral argument on the final fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final fee application, rules on the final fee application on the papers, and approves the final fee application for the reasons stated in the final fee application and for lack of timely written opposition. No appearances are required on 12/1/20. Applicant or trustee to lodge a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Ramon De Jesus Contreras

Represented By
Andrew Edward Smyth

Joint Debtor(s):

Maria Del Rosario Contreras

Represented By
Andrew Edward Smyth

Trustee(s):

Carolyn A Dye (TR)

Represented By
James A Dumas Jr
John K Park
Christian T Kim
Miri Kim Wakuta

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 1, 2020

Hearing Room 1675

2:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01276 Goodrich v. Shemtov

#26.00 Hearing re: Motion of chapter 7 trustee for summary judgment against George Shemtov

Docket 29

*** VACATED *** REASON: Cont'd from 12/1/20 to 1/19/21 at 2:30 p.m.
per stip & order entered on 11/24/20-mb.

Tentative Ruling:

Off calendar. Continued by stipulation and order to 1/19/21 at 2:30 p.m. No appearances are required on 12/1/20.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour
Keith F Rouse

Defendant(s):

George Shemtov

Represented By
Keith F Rouse

Movant(s):

David M. Goodrich

Represented By
Faye C Rasch

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, December 1, 2020

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2:30 PM

CONT... SOCALDEAL INC

Chapter 7

**United States Bankruptcy Court
Central District of California
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Judge Robert Kwan, Presiding
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Tuesday, December 1, 2020

Hearing Room 1675

2:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01276 Goodrich v. Shemtov

- #27.00** Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542
fr. 6/30/20, 8/18/20, 11/10/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/27/20. No tentative ruling on the merits. Appearances are required on 12/1/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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**United States Bankruptcy Court
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Tuesday, December 1, 2020

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2:30 PM

CONT... SOCALDEAL INC

Chapter 7

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Prior tentative ruling as of 11/9/20. Off calendar. The court has reviewed the joint status report noting that plaintiff has noticed his motion for summary judgment for 12/1/20 and the parties have stipulated to extend the discovery date to 1/31/21, which the court has approved. In light of these developments, the court on its own motion continues the status conference to 12/1/20 at 2:30 p.m. to be conducted the same time as the hearing on plaintiff's motion for summary judgment. No appearances are required on 11/10/20.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

George Shemtov

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

**United States Bankruptcy Court
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Los Angeles
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Tuesday, December 1, 2020

Hearing Room 1675

2:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01277 Goodrich v. Shemtov

#28.00 Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542
fr. 6/30/20, 8/18/20, 11/10/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/27/20. No tentative ruling on the merits. Appearances are required on 12/1/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, December 1, 2020

Hearing Room 1675

2:30 PM

CONT... **SOCALDEAL INC**

Chapter 7

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Prior tentative ruling as of 11/9/20. Off calendar. The court has reviewed the joint status report noting that plaintiff has noticed his motion for summary judgment for 12/1/20 and the parties have stipulated to extend the discovery date to 1/31/21, which the court has approved. In light of these developments, the court on its own motion continues the status conference to 12/1/20 at 2:30 p.m. to be conducted the same time as the hearing on plaintiff's motion for summary judgment. No appearances are required on 11/10/20.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Jack Shemtov

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 1, 2020

Hearing Room 1675

2:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01278 Goodrich v. Shemtov

- #29.00** Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542
fr. 6/30/20, 8/18/20, 11/10/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/27/20. No tentative ruling on the merits. Appearances are required on 12/1/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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**United States Bankruptcy Court
Central District of California
Los Angeles
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Hearing Room 1675

2:30 PM

CONT... **SOCALDEAL INC**

Chapter 7

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Prior tentative ruling as of 11/9/20. Off calendar. The court has reviewed the joint status report noting that plaintiff has noticed his motion for summary judgment for 12/1/20 and the parties have stipulated to extend the discovery date to 1/31/21, which the court has approved. In light of these developments, the court on its own motion continues the status conference to 12/1/20 at 2:30 p.m. to be conducted the same time as the hearing on plaintiff's motion for summary judgment. No appearances are required on 11/10/20.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Najid Shemtov

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

**United States Bankruptcy Court
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Chapter 7

**United States Bankruptcy Court
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Tuesday, December 1, 2020

Hearing Room 1675

2:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01279 Goodrich v. Shemtov

#30.00 Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542
fr. 6/30/20, 8/18/20, 11/10/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/27/20. No tentative ruling on the merits. Appearances are required on 12/1/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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**United States Bankruptcy Court
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Los Angeles
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CONT... **SOCALDEAL INC**

Chapter 7

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Prior tentative ruling as of 11/9/20. Off calendar. The court has reviewed the joint status report noting that plaintiff has noticed his motion for summary judgment for 12/1/20 and the parties have stipulated to extend the discovery date to 1/31/21, which the court has approved. In light of these developments, the court on its own motion continues the status conference to 12/1/20 at 2:30 p.m. to be conducted the same time as the hearing on plaintiff's motion for summary judgment. No appearances are required on 11/10/20.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Rojeh Shemtov

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 1, 2020

Hearing Room 1675

2:30 PM

CONT... SOCALDEAL INC

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 1, 2020

Hearing Room 1675

2:30 PM

2:18-23282 LT Funding, LLC

Chapter 7

#31.00 Hearing re: Fourth interim application for award of compensation and reimbursement of expenses of Dannning, Gill, Israel & Krasnoff, LLP, as general counsel for chapter 7 trustee

Docket 85

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the fourth interim fee application of attorney for the trustee, the court determines that oral argument on the fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the fee application, rules on the fee application on the papers, and approves the fee application for the reasons stated in the fee application and for lack of timely written opposition. No appearances are required on 12/01/20. Applicant or trustee to lodge a proposed order within 7 days of hearing.

Party Information

Debtor(s):

LT Funding, LLC

Represented By
Robert L Eisenbach III

Trustee(s):

Brad D Krasnoff (TR)

Represented By
Eric P Israel
George E Schulman

**United States Bankruptcy Court
Central District of California
Los Angeles
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Courtroom 1675 Calendar**

Tuesday, December 1, 2020

Hearing Room 1675

2:30 PM

2:19-10246 Dean Henrik Okland

Chapter 7

Adv#: 2:19-01102 Sunderland et al v. Okland

#32.00 Hearing re: Motion to Compel Dean Okland to Appear For His Deposition and to Answer Special Interrogatories (Set Two) and Requests for Production of Documents (Set Two)

Docket 49

Tentative Ruling:

Deny plaintiffs' motion to compel defendant to appear for his deposition and to answer special interrogatories (set two) and requests for production of documents (set two) for failure to comply with the discovery dispute requirements of LBR 7026-1(c) regarding prefiling meet and confer conference and filing of a discovery dispute stipulation. There is no showing in the moving papers and the declaration in support thereof that these requirements have been met.

Appearances are required on 12/1/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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Party Information

Debtor(s):

Dean Henrik Okland

Pro Se

Defendant(s):

Dean Henrik Okland

Represented By
Gary R Wallace

Plaintiff(s):

HOWARD M EHRENBERG

Represented By
Jeffrey S Shinbrot

Jennifer Sunderland

Represented By
Kimberly Wright

James Farrow

Represented By
Kimberly Wright

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Jeffrey S Shinbrot

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Adv#: 2:19-01102 Sunderland et al v. Okland

#33.00 Hearing re: Plaintiff's motion for leave to file amended complaint to add cause of action for denial of discharge for failure to obey this court's order

Docket 51

Tentative Ruling:

The court will exercise its discretion to deny the co-plaintiff trustee's motion for leave to file an amended complaint to add a cause of action to deny debtor's discharge for failure to comply with the court's discovery order in this adversary proceeding pursuant to 11 U.S.C. 727(a)(6). As stated in March, Ahart and Shapiro, Rutter Group California Practice Guide: Bankruptcy, paragraph 22:1013 (online edition, December 2019 update): "In many cases, denial of discharge for failing to comply with a court order is seen as "overkill." A less drastic alternative is to hold the debtor in contempt [In re Weir (BC ED CA 1994) 173 BR 682, 691—denial of discharge was "disproportionate to the transgression" where debtor failed to comply with order requiring statement of intention to reaffirm a debt or to redeem or surrender collateral; see also In re Barman (BC ED MI 1999) 237 BR 342, 351—court must balance policy of liberally applying discharge to the honest debtor against policy of denying relief to debtors who intentionally engage in dishonest practices]. However, it is well within the bankruptcy court's discretion to find a particular violation of the court's order so serious as to require denial of discharge under § 727(a)(6)(A). [In re Devers (9th Cir. 1985) 759 F2d 751, 755; In re Weir, supra, 173 BR at 691]." In this instance, the amendment of the complaint for this purpose is overkill, and a less drastic alternative here is to consider the co-plaintiffs' motion for sanctions for defendant's failure to comply with the order.

Appearances are required on 12/1/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS

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Party Information

Debtor(s):

Dean Henrik Okland

Pro Se

Defendant(s):

Dean Henrik Okland

Represented By
Gary R Wallace

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Plaintiff(s):

HOWARD M EHRENBERG

Represented By
Jeffrey S Shinbrot

Jennifer Sunderland

Represented By
Kimberly Wright

James Farrow

Represented By
Kimberly Wright

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Jeffrey S Shinbrot

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Adv#: 2:19-01102 Sunderland et al v. Okland

#33.10 Cont'd hearing re: Motion for sanctions for defendant's failure to comply with court's October 7, 2020 discovery order fr. 11/17/20

Docket 40

Tentative Ruling:

Grant in part and deny in part plaintiffs' motion for sanctions for defendant's failure to comply with the court's October 7, 2020 discovery order compelling defendant's responses to requests for production of documents and interrogatories. Based on the evidence of defendant's noncompliance with the order in failing to respond to these discovery requests and pay the sanctions as previously ordered by the deadline of October 21, 2020, and defendant's lack of response to the sanctions motion, the court determines that plaintiffs have demonstrated "willfulness" or "bad faith" by defendant, which is "disobedient conduct not shown to be outside the control of the litigant." *Henry v. Gill Industries, Inc.*, 983 F.2d 943, 948 (9th Cir. 1993); see also, *Consumer Financial Protection Bureau v. Morgan Drexen, Inc.*, 101 F.Supp.3d 856, 868 (C.D.Cal. 2015). Plaintiffs request that the court sanction defendant by striking his answer in this adversary proceeding and entering his default, or in the alternative, holding him in contempt. Once the court finds that discovery violations are "due to willfulness, bad faith, or fault of the party," it weighs the following five factors in determining whether to impose a terminating sanction: (1) the public interest in expeditious resolution of litigation; (2) the court's need to manage its docket; (3) the prejudice to other parties from the discovery violations (which includes inquiry into materiality of the evidence withheld); (4) public policy favoring disposition of cases on the merits (not a controlling factor where other factors favor dismissal); and (5) whether less drastic sanctions are available and would provide effective deterrence for the particular violation; and specifically whether the court (a) considered lesser sanctions, (b) tried them, and (c) warned the recalcitrant party of the possibility of terminating sanctions. *Hester v. Vision Airlines, Inc.*, 687 F.3d 1162, 1169-1170 (9th Cir. 2012). In weighing these factors, the

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court is not inclined to order terminating sanctions at this time since it had not previously imposed lesser sanctions, such as holding defendant in civil contempt to coerce his compliance and had not given prior warning that it would impose terminating sanctions. While the other factors of the public interest in expeditiously resolving this litigation and the possible prejudice to plaintiffs in not getting the requested discovery exist, they do not outweigh the factor of trying first lesser sanctions and giving defendant prior warning of possible terminating sanctions. Accordingly, the court will apply the lesser sanction of holding defendant in civil contempt for his willful failure to comply with the court's discovery order and award compensatory sanctions to plaintiffs against defendant of reasonable attorneys' fees for having to bring this sanctions motion to coerce defendant's compliance with the court's discovery order. The court will also order that defendant must comply with the discovery order within 30 days of entry of the order on this motion, or otherwise, the court will impose terminating sanctions for continued failure to comply with the discovery order, which would include striking defendant's answer and entering default against him.

Appearances are required on 12/1/20, but counsel and self-represented parties must appear by telephone.

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Prior tentative ruling as of 11/13/20. The parties should be prepared to discuss the impact of the trustee's pending motion to amend the complaint and motion for summary judgment and plaintiffs' other motion to compel discovery on this motion for sanctions. Otherwise, no tentative ruling on the merits. Appearances are required on 11/17/20, but counsel and self-represented parties must appear by telephone.

Party Information

Debtor(s):

Dean Henrik Okland

Pro Se

Defendant(s):

Dean Henrik Okland

Represented By
Gary R Wallace

Plaintiff(s):

Jennifer Sunderland

Represented By
Kimberly Wright

James Farrow

Represented By
Kimberly Wright

HOWARD M EHRENBERG

Pro Se

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Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Jeffrey S Shinbrot

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Adv#: 2:20-01064 WVJP 2017-1, LP v. Barnes et al

#34.00 Cont'd hearing re: Motion to dismiss the complaint and/or for a more definite statement under Fed.R.Bankr.P. 7009 fr. 10/27/20

Docket 14

Tentative Ruling:

Updated tentative ruling as of 11/27/20 as of 5:30 p.m.. "A Rule 12(b)(6) dismissal may be based on either a 'lack of a cognizable legal theory' or 'the absence of sufficient facts alleged under a cognizable legal theory.'" *Johnson v. Riverside Healthcare Sys.*, 534 F.3d 1116, 1121 (9th Cir. 2008) (quoting *Balistreri v. Pacifica Police Dept.*, 901 F.2d 696, 699 (9th Cir. 1990)). In resolving a FRCP Rule 12(b)(6) motion to dismiss, the court must construe the complaint in the light most favorable to the plaintiff and accept "all well-pleaded factual allegations as true." *Johnson*, 534 F.3d at 1122. "However, the court is not required to accept legal conclusions cast in the form of factual allegations if those conclusions cannot reasonably be drawn from the facts alleged." *Clegg v. Cult Awareness Network*, 18 F.3d 752, 754-755 (9th Cir. 1994). Nor is the court "bound by conclusory statements, statements of law, and unwarranted inferences cast as factual allegations." *In re Automated Finance Corp. (Seror v. Stone)*, 2011 WL 10502417, *1 (Bankr. C.D. Cal 2011). See also *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555-57, 127 S.Ct. 1955, 167 L.Ed.2d 929 (2007).

In *Ashcroft v. Iqbal*, 556 U.S. 662, 129 S. Ct. 1937, 173 L.Ed.2d 868 (2009), the Supreme Court elaborated as follows:

To survive a motion to dismiss, a complaint must contain sufficient factual matter, accepted as true, to "state a claim to relief that is plausible on its face." A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged. The plausibility standard is not akin to a "probability requirement," but it asks for more than a sheer possibility that a defendant has acted

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unlawfully. *Id.* at 678 (internal citations omitted).

"Threadbare recitals of the elements of a cause of action, supported by mere conclusory statements, do not suffice." *Id.*

The Ninth Circuit addressed post-Iqbal pleading standards in *Starr v. Baca*, 652 F.3d 1202 (9th Cir. 2011) as follows:

First, to be entitled to the presumption of truth, allegations in a complaint or counterclaim may not simply recite the elements of a cause of action, but must contain sufficient allegations of underlying facts to give fair notice and to enable the opposing party to defend itself effectively. Second, the factual allegations that are taken as true must plausibly suggest an entitlement to relief, such that it is not unfair to require the opposing party to be subjected to the expense of discovery and continued litigation. *Id.* at 1216.

"The Supreme Court in *Kawaauhau v. Geiger (In re Geiger)*, 523 U.S. 57, 118 S.Ct. 974, 140 L. Ed. 2d 90 (1998), made clear that for section 523(a)(6) to apply, the actor must intend the consequences of the act, not simply the act itself." *Ormsby v. First American Title Co. of Nevada (In re Ormsby)*, 591 F. 3d 1199, 1206 (9th Cir. 2010). Both willfulness and maliciousness must be proven to prevent discharge of the debt. *Id.* But reckless or negligent acts are not sufficient to establish that a resulting injury falls within the category of willful and malicious injuries under § 523(a)(6). *Kawaauhau v. Geiger*, 523 U.S. at 64.

Willfulness means intent to cause injury. *Kawaauhau v. Geiger*, 523 U.S. at 61. "The injury must be deliberate or intentional, 'not merely a deliberate or intentional act that leads to injury.'" *In re Plyam*, 530 B.R. 456, 463 (9th Cir. BAP 2015) (quoting *Kawaauhau v. Geiger*, 523 U.S. at 61) (emphasis in original). The court may consider circumstantial evidence that may establish what the debtor actually knew when conducting the injury creating action and not just what the debtor admitted to knowing. *In re Ormsby*, 591 F. 3d at 1206 (citation omitted). Recklessly inflicted injuries, covering injuries from all degrees of recklessness, do not meet the willfulness requirement of § 523(a) (6). *In re Plyam*, 530 B.R. at 464. Reckless conduct requires an intent to act

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instead of an intent to cause injury. *Id.* Therefore, the willful injury requirement "...is met when the debtor has a subjective motive to inflict injury or when the debtor believes that injury is substantially certain to result from his own conduct." *Carillo v. Su (In re Su)*, 290 F.3d 1140, 1142 (9th Cir. 2002) (citation omitted).

A malicious injury is one that involves; "(1) a wrongful act, (2) done intentionally, (3) which necessarily causes injury, and (4) is done without just cause or excuse." *Petralia v. Jercich (In re Jercich)*, 238 F.3d 1202, 1209 (9th Cir. 2001). In *In re Jercich*, the court found that the debtor's withholding of wages to his employee, despite his ability to pay the employee, and use of the wage money for his own personal benefit without any just cause or excuse for withholding the wages, was substantially certain to cause injury to the employee and therefore fulfilled the malicious prong of § 523(a)(6). *Id.* "Malice may be inferred based on the nature of the wrongful act", but to make such an inference, willfulness must be established first. *In re Ormsby*, 591 F.3d 1199 at 1207.

Here, drawing reasonable inferences and accepting all well-pleaded factual allegations as true, Plaintiff has stated a plausible claim for relief under 11 U.S.C. § 523(a)(6). Accepting the allegations in the complaint as true, even if the state court judgment does not act as a collateral estoppel as to nondischargeability of this debt, Plaintiff has pleaded facts allowing the court to draw a reasonable inference that Mr. Barnes may have knowingly entered into the personal guaranty of the Grove loan by Dove Street and acted in concert in a fraud scheme by creating fraudulent documents to represent to Dove Street that the property was transferred to Grove to induce Dove Street to make a loan to Grove secured by the property. Although a 523(a)(6) action will not lie on negligence or breach of contract, and requires an intentional tort under state law, such as fraud, *Lockerby v. Sierra*, 535 F.3d 1038, 1041 (9th Cir. 2008), here, even if Mr. Barnes has the default judgment set aside on remand, the state court action could return to the state court for discovery and trial setting procedures if this court abstains, having granted stay relief. Based on the allegations in the Second Amended Complaint, it seems plausible that Plaintiff may have a claim that Mr. Barnes engaged in malicious and willful tortious acts against Dove Street related to the alleged fraudulent scheme to induce it to make the loans, and his alleged debt to Plaintiff as

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Dove Street's successor-in-interest from these alleged acts could be nondischargeable. Specifically, Plaintiff alleges in the second amended complaint that "11. Debtor, in concert with others, created fraudulent documents for the purpose of representing to Dove that they had the legal authority to transfer the Property to Grove through the Grove Deed and that the Property was legally and equitably transferred to Grove through the Grove Deed to facilitate Grove's obtaining loans secured by the Property, and using the loan proceeds for their own benefit; . . . 14. Bradley, in connection with the Loan Modification Agreement, affirmed verbally and in writing that Fey had legal authority to put the Property up as collateral; 15. Bradley executed a Personal Guarantee with Dove, guaranteeing repayment of the Grove Loan as modified; 16. Debtor, in concert with others, breached the guarantee agreements by failing to make payment after Grove defaulted on the Grove Loan[.]" ECF 26 at 4. These factual allegations, taken as true, would demonstrate that Plaintiff has a plausible claim for relief under section 523(a) (6) that Mr. Barnes created fraudulent documents to represent to Dove that the property was transferred to Grove to induce Dove to lend to Grove and used the loan proceeds for their own benefit, that he affirmed verbally and in writing that "Fey" (i.e., Grove) had legal authority to put the property up as collateral for the Loan Modification Agreement and that he executed a personal guaranty with Dove guaranteeing the repayment of the modified Grove Loan. See Exhibit 3 to Defendant's Request for Judicial Notice. (Plaintiff should clarify that it meant Grove when it referred to Fey in paragraph 14 in the second amended complaint as the personal guaranty referred to the Grove modified loan.) As to issue preclusion, Mr. Barnes may be justified in arguing that even if the judgment is reinstated, the court cannot find the debt nondischargeable because here, the default judgment did not find that he intended to maliciously and willfully injure Dove Street. However, Plaintiff may prove as a factual matter through discovery that there was willfulness and malice.

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Party Information

Debtor(s):

Bradley Edward Barnes

Represented By
Susan I Montgomery

Defendant(s):

Bradley Edward Barnes

Represented By
Susan I Montgomery

Allison Platz Barnes

Represented By
Susan I Montgomery

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Central District of California
Los Angeles
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Joint Debtor(s):

Allison Platz Barnes

Represented By
Susan I Montgomery

Plaintiff(s):

WVJP 2017-1, LP

Represented By
Joseph Chora
Cameron H Totten

Trustee(s):

Carolyn A Dye (TR)

Pro Se

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Adv#: 2:20-01064 WVJP 2017-1, LP v. Barnes et al

#35.00 Cont'd hearing re: Motion for Rule 9011 sanctions against Chora Young LLP and attorneys Paul P. Young, Esq. and Joseph Chora, Esq.
fr.10/27/20

Docket 17

Tentative Ruling:

Revised and updated tentative ruling as of 11/30/20.

Deny defendants' motion for sanctions under FRBP 9011 because the complaint was deemed withdrawn when plaintiff filed its first amended complaint on 9/30/20 based on the deadline of 9/30/20 apparently agreed by the parties based on the court's stay ruling set forth in the notice of stay filed on 5/22/20, staying proceedings in this adversary proceeding from 5/19/20 to 9/30/20. The first amended complaint is an amendment as of right pursuant to FRBP 7015 and FRCP 15(a)(1)(B) and supersedes the original pleading (timely because filed within 21 days of defendants' FRCP 12(b) motion served on 10/1/20), effectively withdrawing the original complaint.

The 21-day safe harbor period for withdrawal of the allegedly sanctionable pleading, the complaint, commenced on 5/15/20 when defendants served but not filed their motion for sanctions on plaintiff, and only 4 days on the 21 day period had run when the court ordered the stay of proceedings, and the 21-day period was stayed until 9/30/20. Arguably, the 21-day period was tolled during the period of stay. See *Upek, Inc. v. Authentec, Inc.*, No. C 10-00424 JF (PVT), 2010 WL 1980189 (N.D. Cal. May 17, 2010). If the 21 day safe harbor period was tolled, then the deadline for withdrawal based on the 17 days remaining in the period would have been 10/16/20 if tolling is applicable here. The amended complaint filed on 9/30/20, or 10/1/20, was thus timely.

If tolling is not applicable here, and the 21-days ran during the period of stay, the deadline for withdrawal would be 9/30/20 as the parties apparently agreed. Even so, the amendment of the complaint by the first amended

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complaint was timely filed on 9/30/20, although the complaint was filed by mistake in the main bankruptcy case rather than the adversary proceeding as evidenced by the counsel declaration filed in opposition to the sanctions motion, ECF 35, filed on 11/17/20, and the first amended complaint itself which had the adversary proceeding caption, Main Bankruptcy Case ECF 75. As indicated by the case docket, plaintiff refiled the first amended complaint in the adversary proceeding on 10/1/20 after being notified by the clerk's office that it was incorrectly filed in the main case. There is no prejudice to defendants deeming the first amended complaint as filed on 9/30/20 because it was filed with the court on 9/30/20 and served on the parties on that date by electronic means, and service would not have been misleading because the caption of the pleading was the adversary proceeding caption. As indicated in counsel declaration in support of plaintiff's opposition and defendants' reply, counsel understood that plaintiff would be amending the complaint by the deadline by their telephone conversations and email correspondence before 9/30/20.

Defendants filed their sanctions motion in the adversary proceeding on 9/30/20 at 9:58 a.m. before plaintiff filed the first amended complaint in the main case on 9/30/20 at 4:03 p.m. Plaintiff had until 11:59 p.m. on 9/30/20 to withdraw the complaint for purposes of this FRBP 9011 motion based on the deadline of 9/30/20 that the parties apparently have agreed to since the court is deemed always open for purposes of filing a pleading pursuant to FRBP 5001(a). Both parties were precluded from filing pleadings during the stay period until 9/30/20, and thus, the 21-day safe harbor period did not expire until at least 11:59 p.m. on 9/30/20, and arguably, defendants' FRBP 9011 sanctions motion was filed too early because the 21-day safe harbor period as extended by the stay had not expired when defendants filed the motion.

The court construes FRBP 9011 conservatively as the Ninth Circuit stated in *Operating Engineers Pension Trust v. A-C Co.*, 859 F.2d 1336, 1345 (9th Cir. 1988) about its civil rule analogue in FRCP 11 that it is "an extraordinary remedy, one to be exercised with extreme caution." Plaintiff by its counsel informed defendants through counsel that it was amending the complaint and would do so by the FRBP 9011 deadline, and did so in spirit, if not in letter, and sanctions are not appropriate under these circumstances with an

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Chapter 7

innocent mistake by counsel in uploading the first amended complaint for filing in the main bankruptcy case rather than the adversary proceeding within the main bankruptcy case should not prevent plaintiff from benefiting from its invocation of the FRBP 9011 safe harbor.

Appearances are required on 12/1/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 1, 2020

Hearing Room 1675

2:30 PM

CONT... Bradley Edward Barnes

Chapter 7

Debtor(s):

Bradley Edward Barnes

Represented By
Susan I Montgomery

Defendant(s):

Bradley Edward Barnes

Represented By
Susan I Montgomery

Allison Platz Barnes

Represented By
Susan I Montgomery

Joint Debtor(s):

Allison Platz Barnes

Represented By
Susan I Montgomery

Plaintiff(s):

WVJP 2017-1, LP

Represented By
Joseph Chora
Cameron H Totten

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 1, 2020

Hearing Room 1675

2:30 PM

2:19-24787 Bradley Edward Barnes

Chapter 7

Adv#: 2:20-01064 WVJP 2017-1, LP v. Barnes et al

#36.00 Cont'd status conference re: Complaint for 1. for false pretenses, a false representation or actual fraud pursuant to 11 U.S.C. §523(a)(6); in the alternative 2. for false pretenses, a false representation or actual fraud pursuant to 11 U.S.C. §523(a)(2)(A); 3. for false pretenses, a false representation or actual fraud pursuant to 11 U.S.C. §523(a)(2)(B); 4. for willful and malicious injury Y 11 U.S.C. §523(a)(6); 5. for determination that defendant's debts are not dischargeable pursuant to 11 U.S.C. §727(a)(2); 6. for a determination that defendant's debts are not dischargeable pursuant to 11 U.S.C. §727(a)(3); 7. for a determination that defendant's debts are not dischargeable pursuant to 11 U.S.C. §727(a)(4); and 8. for a determination that defendant's debts are not dischargeable pursuant to 11 U.S.C. §727(a)(5)
fr. 8/18/20, 10/6/20, 10/27/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/30/20 at 6:30 p.m. Since the parties filed their last joint status report on 10/15/20, there have developments that will affect the course of this adversary proceeding which the parties did not expect to occur before the status conference then scheduled for 10/27/20. First, as indicated by plaintiff on the case docket on 11/24/20, the state court appeal has been decided, which reversed the trial court's order setting aside the default judgment as to Mr. Barnes, the remaining defendant named in the second amended complaint. The appellate decision reinstates the default judgment against him liquidating the debt owed to plaintiff's predecessor-in-interest, Dove Street. Mr. Barnes could seek to move to set aside the default judgment on remand, which was determined to be voidable and not void. However, further stay relief would appear to be required since this court only granted limited stay relief for the state court appeal to proceed and did not grant stay relief for further proceedings in the state trial court. The court could permissively abstain under 28 U.S.C. 1334(c)(1) and grant stay relief to allow the state trial court to determine any further motion of Mr. Barnes to set aside the default judgment and stay this adversary proceeding until the state court determines the underlying debt, and then determine debt dischargeability

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 1, 2020

Hearing Room 1675

2:30 PM

CONT... Bradley Edward Barnes

Chapter 7

afterwards. See In re Oroojian, Adv. No. 2:20-ap-01020 RK, 2020 WL 2201939 (Bankr. C.D. Cal., May 5, 2020); see also, In re Eber, 687 F.3d 1123, 1128 and n. 5 (9th Cir. 2012) (bankruptcy court has exclusive jurisdiction over debt dischargeability claims under 11 U.S.C. 523(a)(2), (4) and (6), citing 11 U.S.C. 523(c)). That is, at this time, the default judgment stands unless Mr. Barnes brings a further motion to set it aside. If he brings such a motion and prevails, then it would be up to plaintiff to consider litigating the merits of the claims of its predecessor-in-interest to prove up such claims. If he brings such a motion and does not prevail, then presumably, the default judgment would be final and entitled to res judicata as to liquidation of the debt owed by Mr. Barnes to plaintiff. However, whether the state court judgment has collateral estoppel effect as to debt dischargeability under 11 U.S.C. 523(a)(6) remains to be litigated in this court in this adversary proceeding.

Assuming that the court adopts its tentative ruling on defendant's motion to dismiss also on calendar on 12/1/20 and denies the motion, and the court does not abstain from determining the merits of the underlying alleged debts as discussed above, the court will set a discovery cutoff date of 5/31/20 and a postdiscovery status conference on 6/15/21 at 1:30 p.m. with a joint status report due on 6/8/21. No tentative ruling on whether this matter should be referred to mediation. Plaintiff to lodge a proposed scheduling order within 7 days of hearing.

Appearances are required on 12/1/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 1, 2020

Hearing Room 1675

2:30 PM

CONT... Bradley Edward Barnes

Chapter 7

telephone and will not be permitted to appear in the courtroom.

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Prior tentative ruling. The court on its own motion continues the status conference to 12/1/20 at 2:30 p.m. to be conducted with continued hearings on defendant's motion to dismiss and for sanctions as it appears that the parties contemplated that the status conference on the same day as the hearings on the motions which were continued would also be continued, although the status conference was not specifically referenced in the stipulation. No appearances are required on 10/27/20.

Party Information

Debtor(s):

Bradley Edward Barnes

Represented By
Susan I Montgomery

Defendant(s):

Bradley Edward Barnes

Pro Se

Allison Platz Barnes

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 1, 2020

Hearing Room 1675

2:30 PM

CONT... Bradley Edward Barnes

Chapter 7

Joint Debtor(s):

Allison Platz Barnes

Represented By
Susan I Montgomery

Plaintiff(s):

WVJP 2017-1, LP

Represented By
Joseph Chora

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 1, 2020

Hearing Room 1675

2:30 PM

2:20-15742 Sara Victoria

Chapter 7

Adv#: 2:20-01632 Adam, DC et al v. Victoria

#37.00 Hearing re: Motion to dismiss pursuant to Rule 12(b)(6) for failure to state a claim for which relief may be granted

Docket 7

Tentative Ruling:

Deny defendant's motion to dismiss for the reasons stated in plaintiffs' opposition, because a corporate officer or employee is not immune from suit where, as alleged in the complaint here, he or she is acting on behalf of a corporation and may have liability for an intentional tort based on his or her conduct. See *In re Kaplan*, Adv. No. 2:12-ap-01415 RK, 2016 WL 1321138 (Bankr. C.D. Cal., April 1, 2016), slip op. at *9-10, citing inter alia, *Golden v. Anderson*, 256 Cal.App.2d 714, 719-720 (1967). An alter ego claim is not required to establish the liability of a corporate officer or employee for an intentional tort. *Id.* Appearances are required on 12/1/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 1, 2020

Hearing Room 1675

2:30 PM

CONT...

Sara Victoria

Chapter 7

need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Sara Victoria

Represented By
Freddie V Vega

Defendant(s):

Sara Victoria

Represented By
Todd L Turoci

Plaintiff(s):

Scott Adam, DC

Represented By
Aisha Shelton Adam
Kerry A. Moynihan

Adam Chiropractic and Wellness

Represented By
Aisha Shelton Adam
Kerry A. Moynihan

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 2, 2020

Hearing Room 1675

10:30 AM

2:12-16195 David Alan Wilson

Chapter 7

Adv#: 2:12-01317 McKnew, Thomas I. IV et al v. Wilson

#1.00 Cont'd hearing re: Application for third person witness judgment debt examination of Michelle Wilson on behalf of American General Corporation fr. 10/13/20

Docket 571

Tentative Ruling:

Appearances are required on 12/2/20 for the witness for the third person judgment debtor examination to comply with the examination order and to be sworn in for the examination, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 2, 2020

Hearing Room 1675

10:30 AM

CONT... **David Alan Wilson**

Chapter 7

scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

David Alan Wilson

Represented By
Michael N Nicastrò
Christina M Chan
Eryk R Escobar

Defendant(s):

David A Wilson

Represented By
Jon-Michael A Marconi
James Andrew Hinds Jr
David Samuel Shevitz
Christopher A Dias

Plaintiff(s):

McKnew, Thomas I. IV

Represented By
James Andrew Hinds Jr
Paul R Shankman
Hye Jin Jang
Brian Barouir Yeretziàn
Rachel M Sposato

Lisa A McKnew

Represented By
James Andrew Hinds Jr
Paul R Shankman
Hye Jin Jang
Brian Barouir Yeretziàn

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 2, 2020

Hearing Room 1675

10:30 AM

CONT... David Alan Wilson

Rachel M Sposato

Chapter 7

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 2, 2020

Hearing Room 1675

11:00 AM

2:11-14196 Gary Wayne Barker

Chapter 11

#2.00 Cont'd status conference re: Management of chapter 11 case
fr. 6/3/20, 7/1/20, 9/30/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/30/20. No tentative ruling on the merits.,
Appearances are required on 12/2/20, but counsel and self-represented
parties must appear by telephone.

**TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS
MATTER:**

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the day before the hearing. After you made your telephone appearance
reservation with CourtCall, on the day of the court hearing, you will need to
call CourtCall at its telephone number at least 5 minutes before the
scheduled hearing, and identify the United States Bankruptcy Court in Los
Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall
operator will put you into the telephonic court hearing. Given the large

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 2, 2020

Hearing Room 1675

11:00 AM

CONT... Gary Wayne Barker

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 9/25/20. No tentative ruling on the merits. Appearances are required on 9/30/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling. No tentative ruling on the merits. Appearances are required on 7/1/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 5/29/20. Debtor should address the status of his intent to file a lien avoidance motion and a motion for final decree. Appearances are required on 6/3/20, but counsel must 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 2, 2020

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. 5/13/20, 8/5/20, 10/28/20

Docket 1

*** VACATED *** REASON: Cont'd from 12/2/20 to 2/17/21 at 11:00 a.m.
per stip & order entered on 11/25/20-mb

Tentative Ruling:

Updated tentative ruling as of 11/30/20. No tentative ruling on the merits. Appearances are required on 12/2/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 2, 2020

Hearing Room 1675

11:00 AM

CONT...

Dale Alfred Williams

Chapter 11

Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 10/26/20. No tentative ruling on the merits. Appearances are required on 10/28/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 8/3/20. Off calendar. Continued by stipulation and order to 10/28/20 at 11:00 a.m. No appearances are required on 8/5/20.

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 2, 2020

Hearing Room 1675

11:00 AM

2:13-12977 Dowent Family LLC

Chapter 11

#4.00 Hearing re: Motion by debtor for an order disallowing the claim of Mandarin Realty I Corp.

Docket 531

Tentative Ruling:

Updated tentative ruling as of 11/30/20. No tentative ruling on the merits. Appearances are required on 12/2/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 2, 2020

Hearing Room 1675

11:00 AM

CONT... Dowent Family LLC

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Dowent Family LLC

Represented By
Todd C. Ringstad
Christopher Minier
Saul Reiss
Brian R Nelson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 2, 2020

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#5.00 Cont'd hearing re: Disclosure statement
fr. 5/20/20, 6/3/20, 10/7/20

Docket 174

Tentative Ruling:

Updated tentative ruling as of 11/30/20. No tentative ruling on the merits. Appearances are required on 12/2/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 2, 2020

Hearing Room 1675

11:00 AM

CONT... Curtis C. Magleby

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Revised and updated tentative ruling as of 10/6/20. The court has reviewed debtor's status report filed on 10/6/20, detailing the progress made in preparing an amended disclosure statement. Debtor stated that he filed a notice of claims bar date of 10/30/20, which the court notes was filed on 8/17/20, stating it was filed pursuant to LBR 9013-1(q) governing motions to set a bar date. Upon review of the case docket, the court did not see that debtor filed a motion for the court to set a bar date under LBR 9013-1(q). The court must actually set a bar date by order pursuant to FRBP 3003((c)(3), which is usually done on motion, which has not been filed. Also, the court can on its own initiative set a bar date by order as noted in LBR 3003-1(a), but the court does not recall doing so. Apparently, the claims bar date of 10/30/20 noticed by debtor without a court order may not be valid unless there is a remedial court order validating the date. Debtor should explain that if the court ordered the bar date of 10/30/20, how it was done because it does not appear on the docket that there was a motion or a court ruling sua sponte. If the court has not ordered the bar date of 10/30/20, debtor may request that the court do so at the status conference. Otherwise, no tentative ruling on the merits. Appearances are required on 10/7/20, but counsel and self-represented parties must 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 2, 2020

Hearing Room 1675

11:00 AM

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. 5/20/20, 6/3/20, 10/7/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/30/20. No tentative ruling on the merits. Appearances are required on 12/2/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 2, 2020

Hearing Room 1675

11:00 AM

CONT... **Curtis C. Magleby**

Chapter 11

scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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 2, 2020

Hearing Room 1675

11:00 AM

2:18-11525 Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

#7.00 Cont'd status conference re: Motion for contempt
fr. 2/19/20, 5/6/20, 7/1/20

Docket 205

Tentative Ruling:

Updated tentative ruling as of 11/30/20. No tentative ruling on the merits. Appearances are required on 12/2/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 2, 2020

Hearing Room 1675

11:00 AM

CONT... Shahriar Joseph Zargar and Shabnam Mesachi Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 9/25/20. Appearances are required on 9/30/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 6/26/20. No tentative ruling on the merits. Appearances are required on 7/1/20 to discuss the status of the related state court litigation which may have an impact on this litigation, but counsel and self-represented parties must 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, December 2, 2020

Hearing Room 1675

11:00 AM

2:18-11525 Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

#8.00 Cont'd hearing re: Debtors' objection to amended claim no. 9 and motion to estimate claim for purposes of voting and distribution
fr. 2/19/20, 5/6/20, 7/1/20

Docket 103

Tentative Ruling:

Updated tentative ruling as of 11/30/20. No tentative ruling on the merits. Appearances are required on 12/2/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 2, 2020

Hearing Room 1675

11:00 AM

CONT... **Shahriar Joseph Zargar and Shabnam Mesachi**

Chapter 11

operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 9/25/20. Appearances are required on 9/30/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 6/26/20. No tentative ruling on the merits. Appearances are required on 7/1/20 to discuss the status of the related state court litigation which may have an impact on this litigation, but counsel and self-represented parties must 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, December 2, 2020

Hearing Room 1675

11:00 AM

2:18-11525 Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

#9.00 Cont'd status conference re: Management of chapter 11 case
fr. 2/19/20, 5/6/20, 7/1/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/30/20. No tentative ruling on the merits. Appearances are required on 12/2/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 2, 2020

Hearing Room 1675

11:00 AM

CONT... Shahriar Joseph Zargar and Shabnam Mesachi Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 9/25/20. Appearances are required on 9/30/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 6/26/20. No tentative ruling on the merits. Appearances are required on 7/1/20 to discuss the status of the related state court litigation which may have an impact on this litigation, but counsel and self-represented parties must 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, December 2, 2020

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** 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. 2/19/20, 5/6/20, 7/1/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/30/20. No tentative ruling on the merits. Appearances are required on 12/2/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 2, 2020

Hearing Room 1675

11:00 AM

CONT... **Shahriar Joseph Zargar**

Chapter 11

call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 9/25/20. Appearances are required on 9/30/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 6/26/20. No tentative ruling on the merits. Appearances are required on 7/1/20 to discuss the status of the related state court litigation which may have an impact on this litigation, but counsel and self-represented parties must 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**

Wednesday, December 2, 2020

Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#11.00 Hearing re: Application for payment of final fees and/or expenses of Jay B. Siegel, Esq.

Docket 417

Tentative Ruling:

Off calendar. For the convenience of the court and the parties, and in accordance with LBR 2016-1(c)(3)(A) providing that final fee applications must be filed and set for hearing as promptly as possible after confirmation of a plan unless otherwise ordered by the court (the court has not ordered otherwise here), the court on its own motion continues the hearing on this final fee application to be heard with other final fee applications in this case set for hearing with the plan confirmation hearing on 12/9/20 at 11:00 a.m. No appearances are required on 12/2/20.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Michael R Totaro

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 2, 2020

Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#12.00 Hearing re: Application for payment of final fees and/or expenses for Orantes Law Firm, P.C., Debtor's Attorney

Docket 425

Tentative Ruling:

Off calendar. For the convenience of the court and the parties, and in accordance with LBR 2016-1(c)(3)(A) providing that final fee applications must be filed and set for hearing as promptly as possible after confirmation of a plan unless otherwise ordered by the court (the court has not ordered otherwise here), the court on its own motion continues the hearing on this final fee application to be heard with other final fee applications in this case set for hearing with the plan confirmation hearing on 12/9/20 at 11:00 a.m. No appearances are required on 12/2/20.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Michael R Totaro

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 2, 2020

Hearing Room 1675

11:00 AM

2:18-14665 Hugo Hernandez

Chapter 11

#13.00 Cont'd status conference re: Post confirmation of plan
fr. 6/3/20, 8/5/20, 10/21/20

Docket 113

Tentative Ruling:

Updated tentative ruling as of 11/30/20. No tentative ruling on the merits. Appearances are required on 12/2/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 2, 2020

Hearing Room 1675

11:00 AM

CONT... Hugo Hernandez

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Revised and updated tentative ruling as of 10/20/20. The court has reviewed debtor's declaration filed on 10/20/20 as a follow-up to the post-confirmation status report, filed on 10/7/20, stating that he is current on plan obligations and that he needs more time to address issues with certain creditors before he will be able to file a motion for final decree, requesting a short continuance of the status conference. Having considered debtor's declaration and status report, the court on its own motion continues the status conference to 12/2/20 at 11:00 a.m., waives the requirement of a written status report for 12/2/20 and debtor may report on status orally at that time. No appearances are required on 10/21/20.

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 2, 2020

Hearing Room 1675

11:00 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#13.10 Cont'd status conference re: Post confirmation of plan
fr. 10/28/20, 11/10/20, 11/18/20

Docket 119

Tentative Ruling:

Updated tentative ruling as of 11/30/20. No tentative ruling on the merits. Appearances are required on 12/2/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 2, 2020

Hearing Room 1675

11:00 AM

CONT... People Who Care Youth Center, Inc.

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, December 2, 2020

Hearing Room 1675

1:30 PM

2:13-17409 Ayers Bath (U.S.A.), Co.,Ltd.

Chapter 7

#14.00 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. 7/21/20, 8/4/20, 10/28/20

Docket 118

***** VACATED *** REASON: Cont'd from 12/2/20 at 12/16/20 at 1:30 p.m.
per order entered on 11/20/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 11/30/20. Off calendar. Continued by stipulation and order to 12/16/20 at 1:30 p.m. No appearances are required on 12/2/20.

Prior tentative ruling as of 7/31/20. Since discovery as extended ended on 7/17/20, the court will set the matter for a pretrial conference. The court requests that counsel review and be thoroughly familiar with Local Bankruptcy Rule 7016-1 regarding preparation of a pretrial stipulation to be submitted for the pretrial conference. The court will discuss scheduling of the pretrial conference and will preliminarily discuss the conduct of the trial which may be remotely by videoconferencing in light of the Covid-19 pandemic. Appearances are required on 8/4/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. Instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 2, 2020

Hearing Room 1675

1:30 PM

CONT... **Ayers Bath (U.S.A.), Co.,Ltd.**

Chapter 7

to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through August 31, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, December 2, 2020

Hearing Room 1675

1:30 PM

2:16-24760 Philip Joseph Jaurigui

Chapter 7

Adv#: 2:18-01351 Mover v. Jaurigui

#15.00 Pretrial conference re: Complaint for nondischargeability under 11 U.S.C. §§523(a)(2)(A), 523(a)(2)(B), 523(a)(6); and objection to discharge under §§727(a)(2), 727(a)(4)
fr. 5/26/20, 8/4/20, 9/15/20

Docket 1

***** VACATED *** REASON: Cont'd from 12/2/20 to 2/16/21 at 1:30 p.m.
per stip & order entered on 11/12/20-mb**

Tentative Ruling:

Updated tentative ruling as of 11/30/20. Off calendar. Continued by stipulation and order to 2/16/21 at 1:30 p.m. No appearances are required on 12/2/20.

Prior tentative ruling as of 9/11/20. No tentative ruling on the merits. Since the mediation was completed without settlement, the court will discuss setting further proceedings with the parties. Appearances are required on 9/15/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 8/3/20. No tentative ruling on the merits. Parties are to report on the status of the mediation before Judge Donovan. The court has been informally advised that Judge Donovan is ready to proceed with a Zoom mediation and the parties will need to contact his courtroom deputy to set up the mediation appointment. Appearances are required on 8/4/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 5/22/20. The court will discuss with the parties the status of the mediation with Judge Donovan, who is apparently amenable to conducting mediation by videoconferencing or telephone, perhaps through Zoom which has been used by other judges successfully for mediation. Appearances are required on 5/26/20 by telephone in accordance with the procedures set forth in the tentative ruling of 5/8/20 below.

Prior tentative ruling as of 5/8/20. 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, December 2, 2020

Hearing Room 1675

1:30 PM

CONT...

Philip Joseph Jaurigui

Chapter 7

report. No tentative ruling on the merits. Appearances are required on 5/12/20 to discuss the status of the adversary proceeding, including the status of the pending mediation, outstanding discovery, whether the trial can be conducted remotely by videoconferencing as opposed to in person and when a pretrial conference and other further proceedings should be set, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 3/9/20. Continued by stipulation and order to 5/12/20 at 1:30 p.m. No appearances are required on 3/10/20.

Prior tentative ruling as of 1/13/20. The court has reviewed the joint status report. Appearances are required on 1/14/20 to discuss scheduling of pretrial conference and coordination of trial with related adversary proceeding, but counsel may appear by telephone.

Prior tentative ruling as of 9/16/19. Because the discovery cutoff date was extended to 12/31/19 and discovery is continuing to that date, the court was inclined to set a post-discovery status conference or a pretrial conference for after the discovery cutoff date. Appearances are required on 9/17/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. Appearances are required on 6/25/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/10/19. No tentative ruling on the merits. Appearances are required on 6/11/19, but counsel may appear by telephone.

Prior tentative ruling. Set a discovery cutoff date of 8/30/19 and a post-discovery status conference on 9/17/19 at 1:30 p.m. A joint status report is due on 9/10/19. Appearances are required on 1/8/19, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

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, December 2, 2020

Hearing Room 1675

1:30 PM

CONT... Philip Joseph Jaurigui

Chapter 7

Defendant(s):

Philip Joseph Jaurigui

Pro Se

Plaintiff(s):

Jonathan Mover

Represented By
Steven R Fox

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, December 2, 2020

Hearing Room 1675

1:30 PM

2:16-24760 Philip Joseph Jaurigui

Chapter 7

Adv#: 2:18-01352 Swing House Rehearsal and Recording, Inc. v. Jaurigui

- #16.00** Pretrial conference re: Complaint by Swing House Rehearsal and Recording, Inc. against Philip Joseph Jaurigui for nondischargeability under 11 U.S.C. §§523(A)(4) and 523(a)(6); and objection to discharge under §727(a)(4) fr. 5/26/20, 8/4/20, 9/15/20

Docket 1

***** VACATED *** REASON: Cont'd from 12/2/20 to 2/16/21 at 1:30 p.m.
per stip & order entered on 11/12/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 11/30/20. Off calendar. Continued by stipulation and order to 2/16/21 at 1:30 p.m. No appearances are required on 12/2/20.

Prior tentative ruling as of 9/11/20. No tentative ruling on the merits. Since the mediation was completed without settlement, the court will discuss setting further proceedings with the parties. Appearances are required on 9/15/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 8/3/20. No tentative ruling on the merits. Parties are to report on the status of the mediation before Judge Donovan. The court has been informally advised that Judge Donovan is ready to proceed with a Zoom mediation and the parties will need to contact his courtroom deputy to set up the mediation appointment. Appearances are required on 8/4/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 5/22/20. The court will discuss with the parties the status of the mediation with Judge Donovan, who is apparently amenable to conducting mediation by videoconferencing or telephone, perhaps through Zoom which has been used by other judges successfully for mediation. Appearances are required on 5/26/20 by telephone in accordance with the procedures set forth in the tentative ruling of 5/8/20 below.

Prior tentative ruling as of 5/8/20. 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
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Hearing Room 1675

1:30 PM

CONT... **Philip Joseph Jaurigui** **Chapter 7**

5/12/20 to discuss the status of the adversary proceeding, including the status of the pending mediation, outstanding discovery, whether the trial can be conducted remotely by videoconferencing as opposed to in person and when a pretrial conference and other further proceedings should be set, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 3/9/20. Off calendar. Continued by stipulation and order to 5/12/20 at 1:30 p.m. No appearances are required on 3/10/20.

Prior tentative ruling as of 1/13/20. The court has reviewed the joint status report. Appearances are required on 1/14/20 to discuss scheduling of pretrial conference and coordination of trial with related adversary proceeding, but counsel may appear by telephone.

Prior tentative ruling as of 9/16/19. Because the discovery cutoff date was extended to 12/31/19 and discovery is continuing to that date, the court was inclined to set a post-discovery status conference or a pretrial conference for after the discovery cutoff date. Appearances are required on 9/17/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/24/19. Appearances are required on 6/25/19, but counsel may appear by telephone.

Prior tentative ruling as of 6/10/19. No tentative ruling on the merits. Appearances are required on 6/11/19, but counsel may appear by telephone.

Prior tentative ruling. Set a discovery cutoff date of 8/30/19 and a post-discovery status conference on 9/17/19 at 1:30 p.m. A joint status report is due on 9/10/19. Appearances are required on 1/8/19, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Philip Joseph Jaurigui

Represented By
Leonard Pena

**United States Bankruptcy Court
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CONT... Philip Joseph Jaurigui

Chapter 7

Defendant(s):

Philip Joseph Jaurigui

Pro Se

Plaintiff(s):

Swing House Rehearsal and

Represented By
Steven R Fox

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Wednesday, December 2, 2020

Hearing Room 1675

2:30 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.

#17.00 Cont'd hearing re: Motion to compel discovery
fr. 10/29/20, 10/28/20, 11/18/20

Docket 763

Tentative Ruling:

Updated tentative ruling as of 11/30/20. Off calendar. The court on its own motion continues the hearing on the pending motion to 12/9/20 at 2:00 p.m. in light of the recent voluminous filing of the parties on 11/30/20, two days before the scheduled hearing, consisting of a 44 page discovery dispute stipulation and two packets of exhibits totaling over 600 pages. Given the short time before the hearing that these documents were filed, the court will need some reasonable time to review the documents for the hearing. No appearances are required on 12/2/20.

Prior tentative ruling as of 11/16/20. Off calendar. Continued by stipulation and order to 12/2/20 at 2:30 p.m. No appearances are required on 11/18/20.

Prior tentative ruling as of 10/27/20. Off calendar. Continued by stipulation and order to 11/18/20 at 2:30 p.m. No appearances are required on 10/28/20.

Prior tentative ruling as of 10/26/20. The court is not inclined to rule on the motion to compel discovery at this time because the motion is not ripe for adjudication as compliance with LBR 7026-1(c) requiring a joint discovery dispute stipulation is lacking. Also, apparently, the parties have not had a discovery dispute conference pursuant to LBR 7026-1(c). Preliminarily, the same concerns regarding movant's FRBP 2004 examination of the plan agent and the reorganized debtor are probably applicable here either based on issue preclusion or the law of the case doctrine. Otherwise, no tentative ruling on the merits, and the court is inclined to continue or vacate the hearing so that the parties may comply with LBR 7026-1(c). Appearances are required on 10/28/20, but counsel and self-represented parties must appear by telephone.

Party Information

**United States Bankruptcy Court
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Los Angeles
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2:30 PM

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
Alan I Nahmias

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
Ronald Rus
Fahim Farivar
Brian L Davidoff
Keith Patrick Banner

Jennifer Kellen

Represented By
J. Bennett Friedman

Michael D. Smith

Represented By
Brian L Davidoff

Kamran Gharibian

Represented By
Brian L Davidoff

Daryoush Dayan

Represented By
Brian L Davidoff

**United States Bankruptcy Court
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2:30 PM

CONT... Art and Architecture Books of the 21st Century Chapter 11

Cathay Bank, a California

Represented By
Ekwan E Rhow
Elliot C Harvey Schatmeier

Jennifer Kellen

Represented By
Michael D Sobkowiak

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
Steven Thomas
Stephen Sorensen

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 8, 2020

Hearing Room 1675

10:30 AM

2:20-18053 Efrain Hernandez

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(Toyota Motor Credit Corporation VS Debtor)

Docket 12

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 12/8/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Efrain Hernandez

Represented By
Michael R Totaro

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, December 8, 2020

Hearing Room 1675

10:30 AM

2:20-18298 Nereida Celene Sanchez Mancilla

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Nissan Motor Acceptance Corporation VS Debtor)

Docket 11

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 12/8/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Nereida Celene Sanchez Mancilla

Represented By
James G. Beirne

Movant(s):

NISSAN MOTOR ACCEPTANCE

Represented By
Austin P Nagel

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Courtroom 1675 Calendar**

Tuesday, December 8, 2020

Hearing Room 1675

10:30 AM

2:20-18683 Alexander Sierra Salazar and Sandra Carolina Cordero

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(Toyota Motor Credit Corporation VS Debtors)

Docket 11

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the movant's stay relief motion, the court determines that oral argument on the motion is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants 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 appearances are required on 12/8/20. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Alexander Sierra Salazar

Represented By
Joe R Correa

Joint Debtor(s):

Sandra Carolina Cordero

Represented By
Joe R Correa

Movant(s):

TOYOTA MOTOR CREDIT

Represented By
Kirsten Martinez

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
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CONT... Alexander Sierra Salazar and Sandra Carolina Cordero

Chapter 7

**United States Bankruptcy Court
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Tuesday, December 8, 2020

Hearing Room 1675

10:30 AM

2:20-19977 LN Ventures, LLC

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(HOF I Grantor Trust 5 VS Debtor)

Docket 9

***** VACATED *** REASON: Notice of voluntary dismissal filed on
11/24/20-mb.**

Tentative Ruling:

Off calendar. Motion voluntarily dismissed by notice filed on 11/24/20. No appearances are necessary.

Party Information

Debtor(s):

LN Ventures, LLC

Represented By
Omero Banuelos

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01259 Goodrich v. Kabbage, Inc.

#5.00 Cont'd status conference re: Complaint for: (1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; (2) Recovery of property pursuant to 11 U.S.C. § 550; (3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; (4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and (5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 6/30/20, 8/4/20, 10/6/20

Docket 1

***** VACATED *** REASON: Notice of voluntary dismissal filed on 12/7/20-mb.**

Tentative Ruling:

Revised and updated tentative ruling as of 12/8/20. Off calendar. The status conference is moot because the adversary proceeding has been voluntarily dismissed by notice filed on 12/7/20. No appearances are required on 12/8/20.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Kabbage, Inc.

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

**United States Bankruptcy Court
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CONT... SOCALDEAL INC

Chapter 7

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Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01260 Goodrich v. Marganian

#6.00 Cont'd status conference re: Complaint for: (1) Avoidance of preferential transfers pursuant to 11 U.S.C. § 547; (2) Recovery of property pursuant to 11 U.S.C. § 550; (3) Preservation of avoided transfers pursuant to 11 U.S.C. § 551; (4) Disallowance of claims pursuant to 11 U.S.C. § 502(d); and (5) Turnover of property of the estate pursuant to 11 U.S.C. § 542
fr. 6/30/20, 8/4/20, 10/6/20

Docket 1

***** VACATED *** REASON: Notice of voluntary dismissal of adv. proceeding filed on 11/30/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 12/7/20. Off calendar. Adversary proceeding voluntarily dismissed by notice filed on 11/30/20.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Shahram Marganian

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

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Tuesday, December 8, 2020

Hearing Room 1675

1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01280 Goodrich v. Shemtov et al

- #7.00** Cont'd hearing re: Motion for entry of default judgement against defendant Simon Yaftadonay Pursuant to Federal Rule of Civil Procedure 55 as incorporated by Federal Rule of Bankruptcy Procedure 7055 and Local bankruptcy Rule 7055-1 fr. 10/13/20

Docket 21

Tentative Ruling:

Updated tentative ruling as of 12/4/20. In support of the motion for default judgment, plaintiff filed the declaration of Marianna Falco, staff accountant at LEA Accountancy, trustee's accountants, on 11/18/20. In the court's view, plaintiff still has not made a prima facie showing of its preferential transfer claims by providing competent evidence of transfers to defendant. See *Lu v. Liu* (In re Liu), 282 B.R. 904, 907-908 (Bankr. C.D. Cal. 2002) (bankruptcy court has discretion to require plaintiff to make prima facie case for entry of default judgment). The Falco declaration is deficient because it describes the forensic accounting work of a former accountant no longer with the firm, Michael Krasnowski, and not her work, she does not have personal knowledge of the analysis because she did not do forensic accounting analysis and she cannot competently testify as to what he did because she has no personal knowledge of the analysis as required by Federal Rule of Evidence 602. If she did the work and confirmed Krasnowski's analysis, that would be a different story, but she just refers to what he did without any description of what she did to confirm that his work was correct. Moreover, she refers to the "Debtor's Ledger" as the basis for Krasnowski's analysis, but there is no proper authentication of the ledger as "Debtor's Ledger." There is no showing that she is the custodian of records of Debtor's records to authenticate the ledger as required by Federal Rules of Evidence 901 et seq. The "Debtor's Ledger" is secondary evidence of alleged transfers as it is not primary source evidence of transfers as would be shown by Debtor's bank account records, such as bank statements, cancelled checks and wire transfer receipts. She also refers to two transfers made to other parties, the FTB and U.S. Treasury, but there is no explanation of why such transfers are attributable to defendant. The court is inclined to deny the motion based on

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CONT... SOCALDEAL INC

Chapter 7

this record. Appearances are required on 12/8/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling. The court on its own motion continues this hearing to 12/8/20 at 1:30 p.m. At the status conference in this matter on 10/6/20, counsel for plaintiff represented that plaintiff will be filing a supplemental declaration of plaintiff's accountant to further support the motion for default

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CONT... SOCALDEAL INC

Chapter 7

judgment and needed additional time for this. No appearances are required on 10/13/20.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour
Keith F Rouse

Defendant(s):

Simon Shemtov

Pro Se

Simon Yaftadonay

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

**United States Bankruptcy Court
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1:30 PM

2:18-12119 SOCALDEAL INC

Chapter 7

Adv#: 2:19-01280 Goodrich v. Shemtov

#8.00 Cont'd status conference re: Complaint for: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Recovery of Property Pursuant to 11 U.S.C. § 550; (3) Preservation of Avoided Transfers Pursuant to 11 U.S.C. § 551; (4) Disallowance of Claims Pursuant to 11 U.S.C. § 502(d); and (5) Turnover of Property of the Estate Pursuant to 11 U.S.C. § 542
fr. 6/30/20, 8/4/20, 10/6/20

Docket 1

Tentative Ruling:

No tentative ruling as of 12/4/20. Appearances are required on 12/8/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to

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Chapter 7

call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

SOCALDEAL INC

Represented By
Fari B Nejadpour

Defendant(s):

Simon Shemtov

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Faye C Rasch

Trustee(s):

David M Goodrich (TR)

Represented By
Faye C Rasch
Beth Gaschen
Weiland Golden Goodrich LLP

**United States Bankruptcy Court
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Hearing Room 1675

1:30 PM

2:20-11519 Ki Hyong Kim

Chapter 7

Adv#: 2:20-01181 Avery v. Yu et al

#9.00 Cont'd status conference re: Complaint to: (1.) AVOID CONSTRUCTIVE FRAUDULENT TRANSFER - 11 U.S.C. §544(b) AND CAL. CIV. CODE §§3439.05 AND 3439.07-09 (2.) AVOID CONSTRUCTIVE FRAUDULENT TRANSFER - 11 U.S.C. §544(b), CAL. CIV. CODE §§3439.04(a)(2)(A) and 3439.07-09; (3.) AVOID CONSTRUCTIVE FRAUDULENT TRANSFER - 11 U.S.C. §544(b), CAL. CIV. CODE §§3439.04(a)(2)(B) AND 3439.07-09; (4.) AVOID ACTUAL FRAUDULENT TRANSFER - 11 U.S.C. § 544(b), CAL. CIV. CODE §§3439.04(a)(1) AND 3439.07-09; (5.) AVOID TRANSFER - 11 U.S.C. § 544(b), FED. DEBT COLLECTION PROC. ACT OF 1990 (FDCPA), 28 U.S.C. §§ 3001 *ET SEQ.*; (6.) TURNOVER OF PROPERTY - 11 U.S.C. §542(a); (7.) RECOVER AVOIDED TRANSFER AND ASSIGNMENT TO TRUSTEE - 11 U.S.C. §§550 AND 551; (8.) QUIET TITLE - CCP §760.010 *ET SEQ.*; (9.) REMOVE CLOUD ON TITLE - CAL. CIV. CODE §3412; (10.) DECLARATORY RELIEF- 11 U.S.C §541(a)(1) AND 22 U.S.C. §2201; (11.) INJUNCTION - 11 U.S.C. §105(a); AND (12.) BAR RECOVERY OF AVOIDED TRANSFER - 11 U.S.C. §522(g)
fr. 10/20/20

Docket 1

Tentative Ruling:

The court has reviewed the joint status report. Set a discovery cutoff date of 1/31/21 and a post-discovery status conference for 2/16/21 at 1:30 p.m. A joint status report must be filed by 2/9/21. Alternatively, the court could set a pretrial conference instead of the post-discovery status conference. Appearances are required on 12/8/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in

**United States Bankruptcy Court
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1:30 PM

CONT...

Ki Hyong Kim

Chapter 7

person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Ki Hyong Kim

Represented By

Andrew Edward Smyth

Defendant(s):

Kyungmin Yu

Pro Se

Ki Hyong Kim

Pro Se

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1:30 PM

CONT... Ki Hyong Kim

Chapter 7

Plaintiff(s):

Wesley H. Avery

Represented By
Brett B Curlee

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
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Hearing Room 1675

2:00 PM

2:17-21018 Prototype Engineering & Manufacturing, Inc.

Chapter 7

Adv#: 2:19-01332 Avery v. Leya Technologies, LLC et al

- #10.00** Cont'd status conference re: Plaintiff's complaint for: (1) avoidance of actual fraudulent transfers; (2) avoidance of constructive fraudulent transfers; (3) recovery of avoided transfers; (4) breach of fiduciary duty; (5) recovery of prohibited distributions; (6) unjust enrichment; (7) aiding and abetting breach of fiduciary duty; and (8) substantive consolidation of certain defendants with the debtor's estate
fr. 10/13/20, 10/27/20, 11/17/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 12/4/20. No tentative ruling on the merits. Appearances are required on 12/8/20 to discuss the status of documentation of pending settlement between the parties, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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CONT... Prototype Engineering & Manufacturing, Inc. Chapter 7

the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Prototype Engineering &

Represented By
Carol Chow

Defendant(s):

Leya Technologies, LLC

Pro Se

Bahram Bordbar

Pro Se

Malahat Bordbar

Pro Se

Sara Bordbar

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
Carmela Pagay

Trustee(s):

Wesley H Avery (TR)

Represented By
Timothy J Yoo
Carmela Pagay
Lindsey L Smith
Irving M Gross

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2:13-28497 Corona Care Convalescent Corporation and Dietitians of

Chapter 7

#11.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Richard K. Diamond, Chapter 7 Trustee]

Docket 698

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the final report and fee application of the Chapter 7 trustee, the court determines that oral argument on the final report and fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final report and fee application, rules on the final report and fee application on the papers, and approves the final report and fee application for the reasons stated in the final report and fee application and for lack of timely written opposition. No appearances are required on 12/8/20. Trustee to lodge 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
Sonia Singh

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#12.00 Hearing re: Application for fees and expenses
[Danning, Gill, Israel & Krasnoff, LLP, Attorney for Chapter 7 Trustee]

Docket 693

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the final fee application of general bankruptcy counsel for the Chapter 7 trustee, the court determines that oral argument on the final fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final fee application, rules on the final fee application on the papers, and approves the final fee application for the reasons stated in the final fee application and for lack of timely written opposition. No appearances are required on 12/8/20. Applicant or trustee to lodge 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
Sonia Singh

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#13.00 Hearing re: Application for fees and expenses
[Danning, Gill, Israel & Krasnoff, LLP, Attorney for Chapter 11 Trustee]

Docket 692

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the final fee application of general bankruptcy counsel for the Chapter 11 trustee, the court determines that oral argument on the final fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final fee application, rules on the final fee application on the papers, and approves the final fee application for the reasons stated in the final fee application and for lack of timely written opposition. No appearances are required on 12/8/20. Applicant or trustee to lodge 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
Sonia Singh

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#14.00 Hearing re: Application for fees and expenses
[Max P. Liphart, Field Representative for Chapter 7 Trustee]

Docket 684

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the final fee application of field representative for the Chapter 7 trustee, the court determines that oral argument on the final fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final fee application, rules on the final fee application on the papers, and approves the final fee application for the reasons stated in the final fee application and for lack of timely written opposition. No appearances are required on 12/8/20. Applicant or trustee to lodge 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
Sonia Singh

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Chapter 7

#15.00 Hearing re: Application for fees and expenses
[Grobstein Teeple LLP, Accountants for Chapter 7 Trustee]

Docket 687

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the final fee application of accountant for the Chapter 7 trustee, the court determines that oral argument on the final fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final fee application, rules on the final fee application on the papers, and approves the final fee application for the reasons stated in the final fee application and for lack of timely written opposition. No appearances are required on 12/8/20. Applicant or trustee to lodge 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
Sonia Singh

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Chapter 7

#16.00 Hearing re: Application for fees and expenses
[Alston & Bird, LLP, Special Counsel for Chapter 7 Trustee]

Docket 689

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the final fee application of special counsel to the Chapter 7 (and 11) trustee, the court determines that oral argument on the final fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final fee application, rules on the final fee application on the papers, and approves the final fee application for the reasons stated in the final fee application and for lack of timely written opposition. No appearances are required on 12/8/20. Applicant or trustee to lodge 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
Sonia Singh

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#17.00 Hearing re: Objection to claim no. 1 filed by Data Leverage, LLC

Docket 97

Tentative Ruling:

Updated tentative ruling as of 12/7/20. Sustain the trustee's objection to the proof of claim of Data Leverage, LLC, as procedurally defective because creditor did not follow the proper procedure in filing a request for allowance and payment of an administrative expense claim under 11 U.S.C. 503. Trustee objects to the claim as not allowable as a prepetition claim under 11 U.S.C. 502, and claimant concedes that its claim is postpetition, not prepetition, and the court agrees that if claimant has a claim, it can be only allowed as a postpetition administrative expense claim under 11 U.S.C. 503. The court notes that the first page of the official proof of claim form instructs parties not to use the form to make a request for payment of an administrative expense and to make such a request according to 11 U.S.C. 503. However, sustaining the objection does not bar claimant from filing of a motion for allowance and payment of an administrative expense claim, which it now has done and which is not time-barred as no deadline has been set for requests for allowance of administrative expense claims.

Appearances are required on 12/8/20, but counsel and self-represented parties must appear by telephone.

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telephone and will not be permitted to appear in the courtroom.

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Party Information

Debtor(s):

Nikolay Machevsky

Represented By
Benjamin Nachimson

Movant(s):

Wesley H Avery (TR)

Represented By
Nancy H Zamora

Trustee(s):

Wesley H Avery (TR)

Represented By
Nancy H Zamora

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#17.10 Hearing re: Motion to allow supplemental administrative expense claim of Data Leverage, LLC

Docket 121

Tentative Ruling:

Revised tentative ruling as of 12/7/20. The court will treat the motion of Data Leverage, LLC, to allow its supplemental administrative expense claim as a contested matter pursuant to FRBP 9014. Although it is an open question in the Ninth Circuit, the court is inclined to agree with movant that its claim is not precluded by the fact that this is a Chapter 7 bankruptcy case to claim actual, necessary costs of preserving the estate or actual, necessary expenses incurred by a creditor in making a substantial contribution to the estate pursuant to 11 U.S.C. 503(b)(1)(A) and/or (b)(3)(D) based on the word "including" in 11 U.S.C. 503(b) based on the weight of the case law. In re Mark Anthony Construction, Inc., 886 F.2d 1101, 1106-1107 (9th Cir. 1989), citing inter alia, 11 U.S.C. 102(3) ("includes" and "including" are not limiting"); Mediofactoring v. McDermott (In re McDermott), 802 F.3d 810, 816 (6th Cir. 2015); In re Maqsoudi, 566 B.R. 40, 44 (Bankr. C.D. Cal. 2017); In re Maust Transportation, Inc., 589 B.R. 887 (Bankr. W.D. Wash. 2018); but see, In re United Education and Software, BAP No. CC-05-1067 MaMeP, 2005 WL 696037 at *7 (9th Cir. BAP October 7, 2005)(holding that the five examples of 11 U.S.C. 503(b)(3) are limited). However, whether movant has substantiated its claim of actual, necessary costs of preserving the estate or actual, necessary expenses incurred by it in making a substantial contribution to the estate. In this regard, the court agrees with the trustee and most of his evidentiary objections to the Linton declaration in support of the motion that the evidentiary support of movant's claims lack foundation. The admissible evidence to substantiate the alleged liens, debt service payments and tax obligations which movant allegedly paid off is lacking authenticity and testimony based on personal knowledge as well as evidence that the payments were actually made (no corroborative evidence of payments being made, such as bank statements, cancelled checks, wire transfer receipts,

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etc.). The admissible evidence to substantiate the alleged legal fees incurred by movant to allegedly preserve the estate property is lacking authenticity and testimony based on personal knowledge as well as evidence that the services were rendered for the purposes to preserve estate property as movant alleges is lacking. Given the large dollar amounts that were allegedly spent (i.e., \$293,694.87 on the proof of claim filed with the court attached as Exhibit D to movant's request for judicial notice) to preserve estate property or make a substantial contribution to the estate and the assertions in the moving papers indicate that movant may have a colorable claim under 11 U.S.C. 503(b)(1)(A) or (b)(3)(D), the court is inclined to give an opportunity to meet its burden of proving up its administrative expense claim under 11 U.S.C. 503 with admissible evidence, which may mean an evidentiary hearing. However, the trustee may have defenses on policy grounds that this is not the rare case where substantial contribution should be allowed if movant acted with knowledge of debtor's bankruptcy case or failed to conduct appropriate due diligence to learn of the bankruptcy case as alleged by trustee. The court expects to set a schedule of pretrial proceedings for movant to prove up its claim with admissible evidence.

Appearances are required on 12/8/20, but counsel and self-represented parties must appear by telephone.

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Party Information

Debtor(s):

Nikolay Machevsky

Represented By
Benjamin Nachimson

Trustee(s):

Wesley H Avery (TR)

Represented By
Nancy H Zamora

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#17.20 Cont'd hearing re: Motion under F.R.C.P. Rule 60(b)(1), (3) and (6) to set aside one portion of entered order (1) Approving Compromise; (2) Authorizing Trustee to Transfer Real Property Free and Clear of Liens and Interests; (3) Requiring Debtor to Turn over Real Property of the Estate; and (4) Authorizing Trustee to Utilize U.S. Marshal and Other Law Enforcement
fr. 11/4/20, 11/10/20, 11/19/20

Docket 73

Tentative Ruling:

Revised tentative ruling as of 12/8/20 at 1:10 p.m. In considering whether the court should exercise its equitable discretion to grant relief from judgment under FRCP 60(b), the court determines that this situation falls under excusable neglect under FRCP 60(b)(1) in that movant failed to respond timely to the trustee's compromise/sale motion due to excusable neglect. In considering relief from judgment, the court should take account of all relevant circumstances surrounding the party's omission. See *Pioneer Investment Services Co. v. Brunswick Associates, Ltd.*, 507 U.S. 380, 395 (1993). The court should consider factors including the danger of prejudice to the estate, the length of the delay and its potential impact on judicial proceedings, the reason for the delay, including whether it was within the reasonable control of the movant, and whether the movant acted in good faith. *Id.* Having conducted an evidentiary hearing regarding alleged service of the trustee's motion and the alleged lack of receipt by movant through counsel, the court finds that the factors support relief to allow movant to be heard on the merits of the trustee's compromise/sale motion with the Binafard party, who had a specific performance claim against debtor's mother to whom debtor had transferred the subject property. The court finds the testimony of movant's former counsel, Sment, and its representative, Linton, sincere and credible that they did not receive copies of the trustee's motion before mid-September when the court entered the order granting the trustee's motion, and thus, movant was not able to timely respond to the motion. Sment was the notice party for movant as reflected on its proof of claim filed in this case, and Linton was the client representative for movant which is interested in buying the

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subject property. There is no reason why movant by Linton would not have responded to the motion if she had known about the motion when it was being considered by the court in August and September. It is possible that Sment did not get the mailed motion because he did not go into his office which was the address for movant on the proof of claim in light of the pandemic or because his suite mate might have picked it up by mistake or the postal service failed to deliver it. It is more plausible is that it was not properly served. As indicated on the original proof of service of the trustee's motion, movant was not listed, which indicates lack of service. When movant notified trustee's counsel that it did not receive the motion and it was not on the service list for the motion, trustee's counsel filed a "corrected proof of service" not under declaration of penalty of perjury that the wrong service list was attached and that it was served along with the related compromise motion with the Kleemoff bankruptcy estate. The court heard the testimony of trustee's counsel, Zamora, and her legal assistant, Casas, who testified at the hearing that they discovered their mistake in attaching an incorrect service list, that the correct service list including movant was attached to the related Kleemoff estate compromise motion and that both motions were served in one envelope using mailing labels printed off the correct list. The court found the testimony of Zamora and Casas also to be sincere and credible, but the circumstances here indicates that they may have made an honest mistake in serving the trustee's compromise/sale motion with Binafard with the other motion in the same envelope, but using the wrong list to print out the mailing labels. The circumstances here support such a finding that: (1) movant was not on the original service of the trustee's compromise/sale motion with Binafard; (2) the trustee's two motions served together had two different service lists in their proofs of service, one of which was used to generate mailing labels for the service; and (3) Sment as movant's notice party did not receive it. The court does not see anything nefarious about service of the trustee's compromise/sale motion with Binafard and the preparation of a "corrected proof of service" seven weeks after service, and the circumstances indicate just an honest mistaken belief in proper service.

The factors of the reason for the delay, including whether it was within the reasonable control of the movant, and whether the movant acted in good faith, support a finding of excusable neglect because the reason for the delay was

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the lack of receipt of the motion in question in order to timely respond, which is not within the reasonable control of movant and indicates that it acted in good faith in seeking reconsideration. Considering the other factors of the danger of prejudice to the estate and the length of the delay and its potential impact on judicial proceedings, the court determines that there is no danger of prejudice to the estate to allow movant to be heard on the merits of the trustee's compromise/sale motion, but that the length of delay is also not a risk factor because movant acted relatively promptly in filing the motion in October, six weeks after the order approving the trustee's compromise/sale motion was entered because escrow from the approved sale is still pending. The counterparty, Binafard, is willing to wait awhile to consummate the compromise/sale, having waited four or five years to resolve its specific performance claim regarding the subject property. However, continued delay would potentially prejudice the estate because the property may be lost to the estate based on imminent foreclosure of liens held by debtor's homeowners' association which has a secured claim of \$250,000 on the property, having been granted stay relief to proceed with foreclosure, but willing to wait a short period of time to be paid through the pending sale through the estate's compromise with Binafard. Based on these circumstances, relief from judgment under FRCP 60(b)(1) should be granted to the limited extent that movant's opposition to the trustee's compromise/sale motion with Binafard may be heard and considered on the merits.

Because the court determines that relief is appropriate under FRCP 60(b)(1), there is no need to address movant's claims under FRCP 60(b)(3) or (6), and in any event, there is no fraud or misconduct by the opposing party to warrant the application of FRCP 60(b)(3).

Movant seeks reconsideration of the court's order approving the trustee's motion to compromise a dispute with Binafard regarding his claim to the property and to allow the sale of the property to him without overbidding. Movant wishes to modify the court's order to allow it to overbid on the property to acquire it through a public sale. The trustee has argued that overbidding is not required to approve the compromise with Binafard because the sale is integral with the compromise. The court granted the trustee's motion for the reasons stated in the moving papers and for lack of timely written opposition.

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In order for the court to approve a compromise by the trustee with Binafard pursuant to FRBP 901, it must find that the trustee has met his burden of proving that the compromise is fair and equitable and should be approved. In re A & C Properties, 784 F.2d 1377, 1381 (9th Cir. 1986). The factors that the court must consider whether a compromise is fair and equitable are: (1) the probability of success in the litigation; (2) the difficulties, if any, to be encountered in the matter of collection; (3) the complexity of the litigation involved, and the expense; and (4) the paramount interest of creditors and a proper deference to their reasonable views in the premises. *Id.* These factors are known as the A & C factors.

With respect to the paramount interest of creditors in the case, the court notes that the creditors are: (1) Crown Towers Homeowners Association, filing a proof of claim for a secured claim of \$214,115.06, which is now estimated to be currently \$250,000 due to postpetition accruals; (2) Kleemoff bankruptcy estate with a secured claim of \$20,000 and a general unsecured claim of \$66,000 as determined by the court in an order approving a compromise between the estate and that creditor; (3) Los Angeles County Tax Collector, filing a proof of claim for a secured claim of \$76,936.06 relating to property taxes on the subject property, which is probably higher due to postpetition accruals; and (4) Data Leverage, LLC, filing a proof of claim for secured and priority claims totaling \$293,694.87, now characterized as an administrative expense claim, which is disputed by the trustee.

The court had granted the trustee's motion to approve compromise and sale of the property to Binafard since the motion indicated litigation risks to the estate based on Binafard's specific performance claim in state court regarding the property and the motion was not then opposed. As discussed above, Data Leverage has requested reconsideration under FRCP 60(b), which the court is inclined to grant in part to allow it to argue against the approval of the compromise and sale to Binafard without overbidding.

Based on the papers filed so far, the court believes that the trustee has made a prima facie showing of the A & C factors: (1) the probability of success in the litigation – the estate's asset is the subject property, the two condominium units, and the estate's title is based on the validity of debtor's default judgment in state court as res judicata and collateral estoppel against Binafard's specific

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performance claim in another lawsuit in state court, and while the trustee believes he would prevail against Binafard as to the property, *Miller v. Dyer*, 20 Cal.2d 526, 528-529 (1942), there are substantial risks that the default judgment is valid due to Binafard's arguments as stated in his papers filed in this case that the default judgment is not effective as to him because he was not named as a party in debtor's lawsuit, but was an indispensable party in debtor's lawsuit over the property as debtor was a defendant in Binafard's specific performance lawsuit filed before debtor's lawsuit, both having the same subject matter and the same transaction or occurrence, and debtor's default judgment may be void because he did not comply with the requirements of California Government Code 68634(g) 411.2 in timely making good payment of filing fees for his complaint on which he got default judgment after denial of his request for fee waiver, see *Hu v. Silgan Containers Corp.*, 70 Cal.App.4th 1261 (1999) (interpreting similar provision under California Code of Civil Procedure 411.2); these issues present substantial litigation risks to the estate as if Binafard prevailed, the estate would not have ownership of the property; (2) the difficulties, if any, to be encountered in the matter of collection – the estate may not be able to sell the property if title is not clear based on Binafard's claim to the property; (3) the complexity of the litigation involved, and the expense – the litigation of title involving the validity of debtor's default judgment and the determination of Binafard's specific performance claim in state court, and the application of doctrines of *res judicata* and/or collateral estoppel would be complex and expensive, and time-consuming, and the estate would be at severe risk of loss of the property through foreclosure of the HOA liens of Crown Towers Homeowners Association, which has obtained relief from the automatic stay to foreclose on its liens, but has not done so if there would be a prompt sale to pay off its liens, or foreclosure of the property tax liens held by the county; and (4) the paramount interest of creditors and a proper deference to their reasonable views in the premises - the creditor body is generally in favor of the compromise, specifically, Crown Towers and the Kleemoff bankruptcy estate, and presumably, the county, since the compromise and sale to Binafard would pay off all these claims as well as other administrative claims of the estate, including the fees of trustee and his professionals, but Data Leverage opposes the compromise and sale to Binafard because it seeks to purchase

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the property for itself, though its claim would be paid off through the compromise and sale.

The trustee argues that the sale to Binafard may be approved as part of the compromise without overbidding because the sale is integral to the compromise. The court determines that the trustee has made a prima facie showing that the compromise with sale to Binafard does not require overbidding. Despite the argument of several parties that a compromise with a sale of assets always requires overbidding, that argument is not correct as the court has discretion to determine whether to apply the sales procedures of 11 U.S.C. 363 to a motion to approve compromise under FRBP 9019. In re Berkeley Delaware Court, LLC, 834 F.3d 1036, 1039-1041 (9th Cir. 2016); In re Mickey Thompson Entertainment Group, Inc., 292 B.R. 415, 422 and n. 7 (9th Cir. BAP 2003) ("Whether to impose formal sales procedures is ultimately a matter of discretion that depends upon the dynamics of the particular situation."); In re Douglas J. Roger, M.D., Inc., APC, 383 F.Supp.3d 940 (C.D. Cal. 2019). The litigation risks are so substantial here with respect to the estate having to litigate the Binafard specific performance claim in state court, which will involve great expense and delay as well as risk of loss. It seems to the court that Binafard has a substantial case to argue that the debtor's default judgment should not stand because Binafard should have been named as an indispensable party in debtor's lawsuit because debtor was aware of the Binafard suit having been sued as a party and the lawsuit involves the same subject matter as the title to the property. Moreover, having to litigate title to the property in the Binafard suit would involve delay of any sale or disposition of the property, which involves immediate risk to the estate because of the threatened foreclosure by the HOA which has been granted stay relief. Compromise with Binafard including the sale to him is the only way of eliminating such litigation risk to the estate and allows it to sell the property now. Allowing overbidding and a sale to another party without the compromise with Binafard (i.e., the modifications in the order approving compromise requested in movant's motion for reconsideration negate the compromise with Binafard in total) does not avoid the litigation of title to the property with Binafard, which is a risk to the estate as to whether it can sell the property without resolving the title issue. One of the arguments that movant makes against the compromise and sale is that the court should not

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engage in a de facto state court appeal in considering the dispute between debtor and Binafard, and the court rejects this argument because the court would not be engaging in any litigation of the appeal, but simply evaluating the risks posed by such litigation as A & C Properties directs.

Appearances are required on 12/8/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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894-3385.

Chapter 7

Prior tentative ruling.

The Court hereby provides notice to the parties to the contested matter of the motion of Creditor Data Leverage, LLC, for reconsideration of the order granting the motion of Chapter 7 Trustee for order approving compromise and authorizing trustee to transfer real property free and clear of liens and interests that the Court will hold the evidentiary hearing on the reconsideration motion on **November 19, 2020 at 9:00 a.m.**, which will be conducted via Zoom for Government. Participants will be connected to the courtroom using Zoom for Government but will not be physically present in the courtroom. Participants must connect to the Zoom for Government courtroom no later than 8:50 a.m. and check in with the law clerk/DECRO. If a trial participant is having problems connecting to the trial, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Evidentiary Hearing: November 19, 2020 at 9:00 a.m.

a. Video. Utilize the following link:

<https://cacb.zoomgov.com/j/1606187779>
and insert **Meeting ID:** 160 618 7779 and **Password:** 4C%.jz

b. Audio only. Audio-only participants must call into Zoom for

Government by calling: +1 669 254 5252, or +1 646 828 7666;
and insert **Meeting ID:** 160 618 7779 and **Password:** 806754

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Chapter 7

Prior tentative ruling as of 11/9/20. No tentative ruling on the merits. Appearances are required on 11/10/20, but counsel and self-represented parties must appear by telephone.

Revised and updated tentative ruling as of 11/4/20. At the continued hearing on 11/4/20, the court expects to call upon the United States Trustee for a report on his investigation. After this report, the court may ask the parties to address the following questions: (1) as movant is requesting that the court set aside the order approving the Binafard compromise/sale motion pursuant to FRCP 60(b)(1) and (3), In re Ex-Cel Concrete Co., Inc., 178 B.R. 198 (9th Cir. BAP 1995) (bankruptcy court abused its discretion to deny FRCP 60(b) motion when no notice given to secured creditor of motion to sell free and clear as sale order was void for lack of due process), based on a finding that the trustee failed to serve it as a creditor with the Binafard compromise motion as required by FRBP 2002(a)(2) and/or (3), does the evidence in the record consisting of the original and amended proofs of service, the declarations of the legal assistant for trustee's counsel, Casas, and movant's former counsel, Sment, conflict, require credibility determinations that necessitate an evidentiary hearing for the court to make findings to resolve disputed issues of material fact, FRBP 9014(d) and (e); Tyner v. Nicholson (In re Nicholson), 435 B.R. 622, 635-636 (9th Cir. BAP 2010); (2) were the terms of the Binafard compromise/sale motion fair and equitable under FRBP 9019 and do the circumstances of the compromise for sale of the real property warrant the court's discretion to apply the sale procedures of 11 U.S.C. 363, including overbidding, In re Berkeley Delaware Court, LLC, 834 F.3d 1036, 1040 (9th Cir. 2016) (the bankruptcy court has discretion to apply 11 U.S.C. 363 procedures to a sale of claims pursuant to a settlement approved under FRBP 9019); In re Mickey Thompson Entertainment Group, Inc., 292 B.R. 415, 421-422 and n. 7 (9th Cir. BAP 2003)(the bankruptcy court has discretion to impose formal sales procedures of 11 U.S.C. depending "upon the dynamics of the particular situation", and it was an abuse of discretion under the circumstances not to apply sales procedures where compromise was in effect just a sale); In re Douglas J. Roger, M.D., Inc., 393 F.Supp.3d 940 (C.D. Cal. 2019) (the bankruptcy court abused its discretion by overriding the trustee's business judgment seeking court approval for a compromise involving sale of claims before considering whether the compromise was fair and equitable

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under FRBP 9019 and whether overbidding under 11 U.S.C. 363 provided additional benefits to the estate); (3) is the evidence of contact between movant's representative, Linton, and trustee's counsel, Zamora, sufficient to put the trustee on notice of movant as a potential overbidder (i.e., the email correspondence of July 2, 2019 between Linton and Zamora, Exhibit D to the trustee's opposition to the reconsideration motion) to trigger the application of Local Bankruptcy Rule 6004-1(c) (1)(B) requiring a hearing on the Binafard compromise/sale motion pursuant to Local Bankruptcy Rule 9013-1(d) before a ruling on the motion.

Appearances are required on 11/4/20, but counsel and self-represented parties must appear by telephone.

Party Information

Debtor(s):

Nikolay Machevsky

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Nancy H Zamora

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2:30 PM

2:19-20416 Susie L Wong

Chapter 7

#18.00 Cont'd hearing re: Motion to withdraw as counsel for debtor
fr. 11/17/20

Docket 86

***** VACATED *** REASON: Granted per order entered on 11/19/20- mb.**

Tentative Ruling:

Updated tentative ruling as of 12/7/20. Off calendar. Motion granted by order entered on 11/19/20 based on supplemental declarations filed by movant and lack of timely opposition. No appearances are required on 12/8/20.

Party Information

Debtor(s):

Susie L Wong

Represented By
Chi L Ip

Trustee(s):

David M Goodrich (TR)

Pro Se

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2:30 PM

2:20-20031 Kristi Suzanne Morrow

Chapter 7

#19.00 Hearing re: Motion for denial of discharge pursuant to 11 U.S.C. § 727(a)(8)

Docket 14

Tentative Ruling:

Grant motion of United States Trustee for denial of discharge under 11 U.S.C. 727(a)(8) for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are required on 12/8/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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CONT... Kristi Suzanne Morrow

Chapter 7

operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Kristi Suzanne Morrow	Pro Se
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Trustee(s):

Jason M Rund (TR)	Pro Se
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Wednesday, December 9, 2020

Hearing Room 1675

11:00 AM

2:13-26021 L Scott Apparel Inc.

Chapter 11

#1.00 Cont'd status conference re: Post confirmation of plan
fr. 6/10/20, 6/16/20, 7/14/20

Docket 140

Tentative Ruling:

No tentative ruling as of 12/7/20. Appearances are required on 12/9/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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11:00 AM

CONT... L Scott Apparel Inc.

Chapter 11

operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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

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Hearing Room 1675

11:00 AM

2:18-10551 Nina Mosby

Chapter 11

#2.00 Hearing re: Application for payment of final fees and/or expenses for Oaktree Law/Julie J. Villalobos

Docket 139

Tentative Ruling:

Updated tentative ruling as of 12/7/20. Approve final fee application of general bankruptcy counsel for debtor in possession for the reasons stated in the application and for lack of timely written objection. Appearances are required on 12/9/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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11:00 AM

CONT...

Nina Mosby

Chapter 11

Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Nina Mosby

Represented By

Julie J Villalobos

Lawrence R Fieselman

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Hearing Room 1675

11:00 AM

2:18-10551 Nina Mosby

Chapter 11

#3.00 Cont'd status conference re: Post confirmation of plan
fr. 4/8/20, 6/10/20, 9/9/20

Docket 77

Tentative Ruling:

Updated tentative ruling as of 12/7/20. No tentative ruling on the merits. Appearances are required on 12/9/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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CONT... Nina Mosby

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Nina Mosby

Represented By
Julie J Villalobos

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11:00 AM

2:18-13759 Charles Peters

Chapter 11

#4.00 Hearing re: Application for payment of final fees and expenses for Michael R Totaro, debtor's attorney

Docket 421

Tentative Ruling:

The court is inclined to approve the final fee application of general bankruptcy counsel for debtor in possession Totaro & Shanahan for the reasons stated in the fee application and for lack of timely written objection, but the application may not yet be final because the fees billed in the application are for services through 11/5/20 and applicant has rendered and is rendering services after that date which are probably compensable. Since plan confirmation is contested, the court will defer making a final ruling on the application until a plan is confirmed as LBR 2016-1(c) (3)(A) provides that final fee applications in a Chapter 11 case are normally filed and set for hearing after plan confirmation. Appearances are required on 12/9/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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Charles Peters

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need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Michael R Totaro

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11:00 AM

2:18-13759 Charles Peters

Chapter 11

#5.00 Hearing re: Fifth and final application for compensation and reimbursement of expenses of Michael Jay Berger

Docket 430

Tentative Ruling:

The court is inclined to approve the final fee application of former general bankruptcy counsel for debtor in possession Law Offices of Michael Jay Berger for the reasons stated in the fee application and for lack of timely written objection, except disallow fees in the amount of \$267.50 for 0.7 hour of services on 1/14/20 for preparing motion to withdraw as counsel (Exhibit 3 at 1) and of \$147.50 for 0.3 hour and of \$350.00 for 0.9 hour for review of creditor Regan's objection to applicant's fourth interim fee application and drafting reply thereto on on 1/17/20 and 1/21/20 (Exhibit 5 at 2 and Exhibit 6 respectively) since such services were not necessary and beneficial to the estate and/or in defense of a fee application which is not compensable under Baker Botts, L.L.P. v. ASARCO LLC, 135 S.Ct. 2158 (2015). Since plan confirmation is contested, the court will defer making a final ruling on the application until a plan is confirmed as LBR 2016-1(c) (3)(A) provides that final fee applications in a Chapter 11 case are normally filed and set for hearing after plan confirmation. Appearances are required on 12/9/20, but counsel and self-represented parties must appear by telephone.

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Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Michael R Totaro

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11:00 AM

2:18-13759 Charles Peters

Chapter 11

#6.00 Hearing re: Application for payment of final fees for Jennifer Min Liu, accountant

Docket 436

Tentative Ruling:

The court is inclined to approve the final fee application of former accountant for debtor in possession Jennifer Min Liu for the reasons stated in the fee application and for lack of timely written objection. Since plan confirmation is contested, the court will defer making a final ruling on the application until a plan is confirmed as LBR 2016-1(c) (3)(A) provides that final fee applications in a Chapter 11 case are normally filed and set for hearing after plan confirmation. Appearances are required on 12/9/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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11:00 AM

CONT... Charles Peters

Chapter 11

call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling. For the convenience of the court and the parties, and in accordance with LBR 2016-1(c)(3)(A) providing that final fee applications must be filed and set for hearing as promptly as possible after confirmation of a plan unless otherwise ordered by the court (the court has not ordered otherwise here), the court on its own motion continues the hearing on this final fee application to be heard with other final fee applications in this case set for hearing with the plan confirmation hearing on 12/9/20 at 11:00 a.m. No appearances are required on 12/2/20.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Michael R Totaro

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 9, 2020

Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#7.00 Hearing re: Confirmation of plan
fr. 8/5/20, 8/18/20, 10/21/20

Docket 257

Tentative Ruling:

Updated tentative ruling as of 12/7/20. The plan needs to resolve certain issues before it can be confirmed: (1) the objection of secured creditor Deutsche Bank to plan confirmation that the plan cannot modify its lien on debtor's principal residence under 11 U.S.C. 1123(b)(5), the plan does not provide for the full amount of the loan as of the confirmation date and the proposed treatment of paying the secured claim over 30 years with 2% interest does not meet the cramdown "fair and equitable" standards of 11 U.S.C. 1129(b)(2)(A)(i) - unless this dispute is consensually resolved, plan confirmation is a contested proceeding requiring an evidentiary hearing to determine whether the loan term can be stretched out and what the appropriate "cramdown" rate of interest is (i.e., formula v. blended rate, compare *Till v. SCS Credit Corp*, 541 U.S. 465, 478-479 (2004); In re *Sunnyslope Housing Ltd. Partnership*, 859 F.3d 637, 646 (9th Cir. 2017) with In re *Boulders on the River, Inc.*, 164 B.R. 99, 106 (9th Cir. BAP 1994); In re *North Valley Mall, LLC*, 432 B.R. 825, 832 (Bankr. C.D. Cal. 2010)) - the court is not inclined to approve as "fair and equitable" the treatment of the secured claim for purposes of 11 U.S.C. 1129(b) with a stretch-out of an additional 13-14 years on a loan maturing in 16-17 years with 2% interest where the contract rate is a variable APR rate loan between 3 and 6.25%, because of the default risk to the creditor, In re *Fowler*, 903 F.2d 694, 697 (9th Cir. 1990), though the proof of claim lists the current variable rate to be 2%; evidence may have to be taken on the appropriate cramdown interest rate and the valuation of the property and lien, though the issue of loan modification for the subject property under 11 U.S.C. 1123(b)(5) is a legal issue, In re *Wages*, 508 B.R. 161, 165 (9th Cir. BAP 2014) with In re *Scarborough*, 461 F.3d 406, 410-413 (3rd Cir. 2006); (2) the plan does not comply with 11 U.S.C. 1129(a)(9)(C) requiring priority tax claims be paid in full with interest not later than 5 years from the date of the order for relief on 4/3/18, or by 4/3/23, rather than 1/1/26 as proposed in the plan, and debtor must demonstrate feasibility of

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, December 9, 2020

Hearing Room 1675

11:00 AM

CONT...

Charles Peters

Chapter 11

paying the total unobjected-to priority tax claims of IRS and Beverly Hills in the approximate amount of \$93,000; (3) debtor needs to demonstrate feasibility by showing that he can pay off administrative expense claims pursuant to 11 U.S.C. 1129(a)(9)(A) since the amounts of these claims as reflected in the final fee applications have run higher than listed in the plan and disclosure statement. Debtor must show that the plan is feasible that he can pay the administrative expense claims and the priority tax claims as proposed in the plan or by the deadline for payment of priority tax claims in April 2023. According to debtor in his plan confirmation brief, since approval of the disclosure statement, he has obtained approval of a refinancing loan for the mobile home park which should demonstrate plan feasibility to pay off administrative expense claims, priority tax claims and other claims, but there is no evidence of this in the record. The plan or plan confirmation order must include the language in LBR 3020-1(b) concerning postconfirmation requirements, including revesting property of the reorganized debtor in a Chapter 7 bankruptcy estate if the case is converted to Chapter 7.

Appearances are required on 12/9/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 9, 2020

Hearing Room 1675

11:00 AM

CONT... Charles Peters

Chapter 11

before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 10/19/20. No tentative ruling on the merits in light of the objection of administrative expense creditor Law Offices of Michael Jay Berger. Debtor should discuss when he would be able to refinance his real property to pay administrative expense claimants since they all have to consent to the proposed treatment of their claims pursuant to 11 U.S.C. 1129(a)(9)A). The plan should incorporate the mandatory language of LBR 3020-1(b) referring to revesting of property of the reorganized debtor in a Chapter 7 estate if the case is converted to Chapter 7 for a postconfirmation default. The plan should correct typographical and spelling errors, such as plan date of "October 7, 2010," or the court being the "Los Angele Division" or the court address of "155 E. Temple St" in the case caption for the plan. Appearances are required on 10/21/20, but counsel and self-represented parties must appear by telephone.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Giovanni Orantes
Luis A Solorzano

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 9, 2020

Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#8.00 Cont'd status conference re: Management of chapter 11 case
fr. 8/18/20, 9/2/20, 10/21/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 12/7/20. No tentative ruling on the merits. Appearances are required on 12/9/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 9, 2020

Hearing Room 1675

11:00 AM

CONT... Charles Peters

Chapter 11

telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Giovanni Orantes
Luis A Solorzano

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 9, 2020

Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#8.10 Cont'd hearing re: Application for payment of final fees and/or expenses for Orantes Law Firm, P.C., Debtor's Attorney
fr. 12/9/20

Docket 425

Tentative Ruling:

Updated tentative ruling as of 12/7/20. The court is inclined to approve the final fee application of former general bankruptcy counsel for debtor in possession Orantes Law Firm, P.C., for the reasons stated in the fee application and for lack of timely written objection, but disallow fees in the amount of \$367.50 for 0.7 hour of services on 5/21/20 for preparing motion to withdraw as counsel and related application to shorten notice since such services were not necessary and beneficial to the estate. Since plan confirmation is contested, the court will defer making a final ruling on the application until a plan is confirmed as LBR 2016-1(c) (3)(A) provides that final fee applications in a Chapter 11 case are normally filed and set for hearing after plan confirmation. Appearances are required on 12/9/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 9, 2020

Hearing Room 1675

11:00 AM

CONT... Charles Peters

Chapter 11

CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling. For the convenience of the court and the parties, and in accordance with LBR 2016-1(c)(3)(A) providing that final fee applications must be filed and set for hearing as promptly as possible after confirmation of a plan unless otherwise ordered by the court (the court has not ordered otherwise here), the court on its own motion continues the hearing on this final fee application to be heard with other final fee applications in this case set for hearing with the plan confirmation hearing on 12/9/20 at 11:00 a.m. No appearances are required on 12/2/20.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Michael R Totaro

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 9, 2020

Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#8.20 Cont'd hearing re: Application for payment of final fees and/or expenses of Jay B. Siegel, Esq.
fr. 12/2/20

Docket 417

Tentative Ruling:

Updated tentative ruling as of 12/7/20. The court is inclined to approve the final fee application of former special litigation counsel for debtor in possession Jay B. Siegel for the reasons stated in the fee application and for lack of timely written objection. Since plan confirmation is contested, the court will defer making a final ruling on the application until a plan is confirmed as LBR 2016-1(c) (3)(A) provides that final fee applications in a Chapter 11 case are normally filed and set for hearing after plan confirmation. Appearances are required on 12/9/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 9, 2020

Hearing Room 1675

11:00 AM

CONT...

Charles Peters

Chapter 11

before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling. For the convenience of the court and the parties, and in accordance with LBR 2016-1(c)(3)(A) providing that final fee applications must be filed and set for hearing as promptly as possible after confirmation of a plan unless otherwise ordered by the court (the court has not ordered otherwise here), the court on its own motion continues the hearing on this final fee application to be heard with other final fee applications in this case set for hearing with the plan confirmation hearing on 12/9/20 at 11:00 a.m. No appearances are required on 12/2/20.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Michael R Totaro

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 9, 2020

Hearing Room 1675

11:00 AM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

#9.00 Cont'd status conference re: Management of chapter 11 case
fr. 3/25/20, 6/3/20, 8/5/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 12/7/20. No tentative ruling on the merits. Appearances are required on 12/9/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, December 9, 2020

Hearing Room 1675

11:00 AM

CONT... Zacky & Sons Poultry, LLC

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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 9, 2020

Hearing Room 1675

11:30 AM

2:15-24071 Francisco O Lopez

Chapter 11

#10.00 Cont'd order to show cause why debtor's counsel of record, Jaurigue Law Group, and debtor Francisco Lopez should not be sanctioned for failure to appear at the September 9, 2020 status conference
fr. 10/7/20

Docket 167

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 12/9/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 9, 2020

Hearing Room 1675

11:30 AM

CONT... Francisco O Lopez

Chapter 11

operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Francisco O Lopez

Represented By
Nam H. Le
Ryan A. Stubbe

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 9, 2020

Hearing Room 1675

11:30 AM

2:15-24071 Francisco O Lopez

Chapter 11

#11.00 Cont'd hearing re: Motion under 11 U.S.C. § 1112(b)(1) to convert, dismiss or appoint a chapter 11 trustee fr. 10/7/20

Docket 170

Tentative Ruling:

No tentative ruling on the merits. Appearances are required on 12/9/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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**United States Bankruptcy Court
Central District of California
Los Angeles
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Wednesday, December 9, 2020

Hearing Room 1675

11:30 AM

CONT... Francisco O Lopez

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Francisco O Lopez

Represented By
Nam H. Le
Ryan A. Stubbe

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 9, 2020

Hearing Room 1675

11:30 AM

2:15-24071 Francisco O Lopez

Chapter 11

#12.00 Cont'd status conference re: Post confirmation of plan
fr. RN, 7/1/20, 9/9/20, 10/7/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 12/7/20. No tentative ruling on the merits. Appearances are required on 12/9/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, December 9, 2020

Hearing Room 1675

11:30 AM

CONT... Francisco O Lopez

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, December 9, 2020

Hearing Room 1675

11:30 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#13.00 Cont'd status conference re: Post confirmation of plan
fr. 11/10/20, 11/18/20, 12/2/20

Docket 119

Tentative Ruling:

Updated tentative ruling as of 12/7/20. No tentative ruling on the merits. Appearances are required on 12/9/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 9, 2020

Hearing Room 1675

11:30 AM

CONT... People Who Care Youth Center, Inc.

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, December 9, 2020

Hearing Room 1675

2:00 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 discovery
fr. 10/28/20, 11/18/20, 12/2/20

Docket 763

Tentative Ruling:

Updated tentative ruling as of 12/7/20. No tentative ruling on the merits. Appearances are required on 12/9/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 9, 2020

Hearing Room 1675

2:00 PM

CONT...

Art and Architecture Books of the 21st Century

Chapter 11

operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Updated tentative ruling as of 11/30/20. Off calendar. The court on its own motion continues the hearing on the pending motion to 12/9/20 at 2:00 p.m. in light of the recent voluminous filing of the parties on 11/30/20, two days before the scheduled hearing, consisting of a 44 page discovery dispute stipulation and two packets of exhibits totaling over 600 pages. Given the short time before the hearing that these documents were filed, the court will need some reasonable time to review the documents for the hearing. No appearances are required on 12/2/20.

Prior tentative ruling as of 11/16/20. Off calendar. Continued by stipulation and order to 12/2/20 at 2:30 p.m. No appearances are required on 11/18/20.

Prior tentative ruling as of 10/27/20. Off calendar. Continued by stipulation and order to 11/18/20 at 2:30 p.m. No appearances are required on 10/28/20.

Prior tentative ruling as of 10/26/20. The court is not inclined to rule on the motion to compel discovery at this time because the motion is not ripe for adjudication as compliance with LBR 7026-1(c) requiring a joint discovery dispute stipulation is lacking. Also, apparently, the parties have not had a discovery dispute conference pursuant to LBR 7026-1(c). Preliminarily, the same concerns regarding movant's FRBP 2004 examination of the plan agent and the reorganized debtor are probably applicable here either based on issue preclusion or the law of the case doctrine. Otherwise, no tentative ruling on the merits, and the court is inclined to continue or vacate the hearing so that the parties may comply with LBR 7026-1(c). Appearances are required on 10/28/20, but counsel and self-represented parties must appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher

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Art and Architecture Books of the 21st Century

Chapter 11

David W. Meadows
Jerome S Cohen
Carolyn A Dye
Alan I Nahmias

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
Ronald Rus
Fahim Farivar
Brian L Davidoff
Keith Patrick Banner

Jennifer Kellen

Represented By
J. Bennett Friedman

Michael D. Smith

Represented By
Brian L Davidoff

Kamran Gharibian

Represented By
Brian L Davidoff

Daryoush Dayan

Represented By
Brian L Davidoff

Cathay Bank, a California

Represented By
Ekwan E Rhow
Elliot C Harvey Schatmeier

**United States Bankruptcy Court
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Judge Robert Kwan, Presiding
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2:00 PM

CONT... Art and Architecture Books of the 21st Century Chapter 11

Jennifer Kellen

Represented By
Michael D Sobkowiak

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
Steven Thomas
Stephen Sorensen

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Los Angeles
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2:14-29611 Nikolay Machevsky

Chapter 7

#15.00 Cont'd hearing re: Motion under F.R.C.P. Rule 60(b)(1), (3) and (6) to set aside one portion of entered order (1) Approving Compromise; (2) Authorizing Trustee to Transfer Real Property Free and Clear of Liens and Interests; (3) Requiring Debtor to Turn over Real Property of the Estate; and (4) Authorizing Trustee to Utilize U.S. Marshal and Other Law Enforcement
fr. 11/10/20, 11/19/20, 12/8/20

Docket 73

Tentative Ruling:

No updated tentative ruling for 12/9/20. Appearances are required on 12/9/20, but counsel and self-represented parties should appear by telephone per instructions stated in the tentative ruling posted on 12/8/20.

Revised tentative ruling as of 12/8/20 at 1:10 p.m. In considering whether the court should exercise its equitable discretion to grant relief from judgment under FRCP 60(b), the court determines that this situation falls under excusable neglect under FRCP 60(b)(1) in that movant failed to respond timely to the trustee's compromise/sale motion due to excusable neglect. In considering relief from judgment, the court should take account of all relevant circumstances surrounding the party's omission. See *Pioneer Investment Services Co. v. Brunswick Associates, Ltd.*, 507 U.S. 380, 395 (1993). The court should consider factors including the danger of prejudice to the estate, the length of the delay and its potential impact on judicial proceedings, the reason for the delay, including whether it was within the reasonable control of the movant, and whether the movant acted in good faith. *Id.* Having conducted an evidentiary hearing regarding alleged service of the trustee's motion and the alleged lack of receipt by movant through counsel, the court finds that the factors support relief to allow movant to be heard on the merits of the trustee's compromise/sale motion with the Binafard party, who had a specific performance claim against debtor's mother to whom debtor had transferred the subject property. The court finds the testimony of movant's former counsel, Sment, and its representative, Linton, sincere and credible that they did not receive copies of the trustee's motion before mid-September

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Chapter 7

when the court entered the order granting the trustee's motion, and thus, movant was not able to timely respond to the motion. Sment was the notice party for movant as reflected on its proof of claim filed in this case, and Linton was the client representative for movant which is interested in buying the subject property. There is no reason why movant by Linton would not have responded to the motion if she had known about the motion when it was being considered by the court in August and September. It is possible that Sment did not get the mailed motion because he did not go into his office which was the address for movant on the proof of claim in light of the pandemic or because his suite mate might have picked it up by mistake or the postal service failed to deliver it. It is more plausible is that it was not properly served. As indicated on the original proof of service of the trustee's motion, movant was not listed, which indicates lack of service. When movant notified trustee's counsel that it did not receive the motion and it was not on the service list for the motion, trustee's counsel filed a "corrected proof of service" not under declaration of penalty of perjury that the wrong service list was attached and that it was served along with the related compromise motion with the Kleemoff bankruptcy estate. The court heard the testimony of trustee's counsel, Zamora, and her legal assistant, Casas, who testified at the hearing that they discovered their mistake in attaching an incorrect service list, that the correct service list including movant was attached to the related Kleemoff estate compromise motion and that both motions were served in one envelope using mailing labels printed off the correct list. The court found the testimony of Zamora and Casas also to be sincere and credible, but the circumstances here indicates that they may have made an honest mistake in serving the trustee's compromise/sale motion with Binafard with the other motion in the same envelope, but using the wrong list to print out the mailing labels. The circumstances here support such a finding that: (1) movant was not on the original service of the trustee's compromise/sale motion with Binafard; (2) the trustee's two motions served together had two different service lists in their proofs of service, one of which was used to generate mailing labels for the service; and (3) Sment as movant's notice party did not receive it. The court does not see anything nefarious about service of the trustee's compromise/sale motion with Binafard and the preparation of a "corrected proof of service" seven weeks after service, and the circumstances

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indicate just an honest mistaken belief in proper service.

The factors of the reason for the delay, including whether it was within the reasonable control of the movant, and whether the movant acted in good faith, support a finding of excusable neglect because the reason for the delay was the lack of receipt of the motion in question in order to timely respond, which is not within the reasonable control of movant and indicates that it acted in good faith in seeking reconsideration. Considering the other factors of the danger of prejudice to the estate and the length of the delay and its potential impact on judicial proceedings, the court determines that there is no danger of prejudice to the estate to allow movant to be heard on the merits of the trustee's compromise/sale motion, but that the length of delay is also not a risk factor because movant acted relatively promptly in filing the motion in October, six weeks after the order approving the trustee's compromise/sale motion was entered because escrow from the approved sale is still pending. The counterparty, Binafard, is willing to wait awhile to consummate the compromise/sale, having waited four or five years to resolve its specific performance claim regarding the subject property. However, continued delay would potentially prejudice the estate because the property may be lost to the estate based on imminent foreclosure of liens held by debtor's homeowners' association which has a secured claim of \$250,000 on the property, having been granted stay relief to proceed with foreclosure, but willing to wait a short period of time to be paid through the pending sale through the estate's compromise with Binafard. Based on these circumstances, relief from judgment under FRCP 60(b)(1) should be granted to the limited extent that movant's opposition to the trustee's compromise/sale motion with Binafard may be heard and considered on the merits.

Because the court determines that relief is appropriate under FRCP 60(b)(1), there is no need to address movant's claims under FRCP 60(b)(3) or (6), and in any event, there is no fraud or misconduct by the opposing party to warrant the application of FRCP 60(b)(3).

Movant seeks reconsideration of the court's order approving the trustee's motion to compromise a dispute with Binafard regarding his claim to the property and to allow the sale of the property to him without overbidding. Movant wishes to modify the court's order to allow it to overbid on the property

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to acquire it through a public sale. The trustee has argued that overbidding is not required to approve the compromise with Binafard because the sale is integral with the compromise. The court granted the trustee's motion for the reasons stated in the moving papers and for lack of timely written opposition.

In order for the court to approve a compromise by the trustee with Binafard pursuant to FRBP 901, it must find that the trustee has met his burden of proving that the compromise is fair and equitable and should be approved. In re A & C Properties, 784 F.2d 1377, 1381 (9th Cir. 1986). The factors that the court must consider whether a compromise is fair and equitable are: (1) the probability of success in the litigation; (2) the difficulties, if any, to be encountered in the matter of collection; (3) the complexity of the litigation involved, and the expense; and (4) the paramount interest of creditors and a proper deference to their reasonable views in the premises. *Id.* These factors are known as the A & C factors.

With respect to the paramount interest of creditors in the case, the court notes that the creditors are: (1) Crown Towers Homeowners Association, filing a proof of claim for a secured claim of \$214,115.06, which is now estimated to be currently \$250,000 due to postpetition accruals; (2) Kleemoff bankruptcy estate with a secured claim of \$20,000 and a general unsecured claim of \$66,000 as determined by the court in an order approving a compromise between the estate and that creditor; (3) Los Angeles County Tax Collector, filing a proof of claim for a secured claim of \$76,936.06 relating to property taxes on the subject property, which is probably higher due to postpetition accruals; and (4) Data Leverage, LLC, filing a proof of claim for secured and priority claims totaling \$293,694.87, now characterized as an administrative expense claim, which is disputed by the trustee.

The court had granted the trustee's motion to approve compromise and sale of the property to Binafard since the motion indicated litigation risks to the estate based on Binafard's specific performance claim in state court regarding the property and the motion was not then opposed. As discussed above, Data Leverage has requested reconsideration under FRCP 60(b), which the court is inclined to grant in part to allow it to argue against the approval of the compromise and sale to Binafard without overbidding.

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Based on the papers filed so far, the court believes that the trustee has made a prima facie showing of the A & C factors: (1) the probability of success in the litigation – the estate’s asset is the subject property, the two condominium units, and the estate’s title is based on the validity of debtor’s default judgment in state court as res judicata and collateral estoppel against Binafard’s specific performance claim in another lawsuit in state court, and while the trustee believes he would prevail against Binafard as to the property, *Miller v. Dyer*, 20 Cal.2d 526, 528-529 (1942), there are substantial risks that the default judgment is valid due to Binafard’s arguments as stated in his papers filed in this case that the default judgment is not effective as to him because he was not named as a party in debtor’s lawsuit, but was an indispensable party in debtor’s lawsuit over the property as debtor was a defendant in Binafard’s specific performance lawsuit filed before debtor’s lawsuit, both having the same subject matter and the same transaction or occurrence, and debtor’s default judgment may be void because he did not comply with the requirements of California Government Code 68634(g) 411.2 in timely making good payment of filing fees for his complaint on which he got default judgment after denial of his request for fee waiver, see *Hu v. Silgan Containers Corp.*, 70 Cal.App.4th 1261 (1999) (interpreting similar provision under California Code of Civil Procedure 411.2); these issues present substantial litigation risks to the estate as if Binafard prevailed, the estate would not have ownership of the property; (2) the difficulties, if any, to be encountered in the matter of collection – the estate may not be able to sell the property if title is not clear based on Binafard’s claim to the property; (3) the complexity of the litigation involved, and the expense – the litigation of title involving the validity of debtor’s default judgment and the determination of Binafard’s specific performance claim in state court, and the application of doctrines of res judicata and/or collateral estoppel would be complex and expensive, and time-consuming, and the estate would be at severe risk of loss of the property through foreclosure of the HOA liens of Crown Towers Homeowners Association, which has obtained relief from the automatic stay to foreclose on its liens, but has not done so if there would be a prompt sale to pay off its liens, or foreclosure of the property tax liens held by the county; and (4) the paramount interest of creditors and a proper deference to their reasonable views in the premises - the creditor body is generally in favor of the

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compromise, specifically, Crown Towers and the Kleemoff bankruptcy estate, and presumably, the county, since the compromise and sale to Binafard would pay off all these claims as well as other administrative claims of the estate, including the fees of trustee and his professionals, but Data Leverage opposes the compromise and sale to Binafard because it seeks to purchase the property for itself, though its claim would be paid off through the compromise and sale.

The trustee argues that the sale to Binafard may be approved as part of the compromise without overbidding because the sale is integral to the compromise. The court determines that the trustee has made a prima facie showing that the compromise with sale to Binafard does not require overbidding. Despite the argument of several parties that a compromise with a sale of assets always requires overbidding, that argument is not correct as the court has discretion to determine whether to apply the sales procedures of 11 U.S.C. 363 to a motion to approve compromise under FRBP 9019. In re Berkeley Delaware Court, LLC, 834 F.3d 1036, 1039-1041 (9th Cir. 2016); In re Mickey Thompson Entertainment Group, Inc., 292 B.R. 415, 422 and n. 7 (9th Cir. BAP 2003) ("Whether to impose formal sales procedures is ultimately a matter of discretion that depends upon the dynamics of the particular situation."); In re Douglas J. Roger, M.D., Inc., APC, 383 F.Supp.3d 940 (C.D. Cal. 2019). The litigation risks are so substantial here with respect to the estate having to litigate the Binafard specific performance claim in state court, which will involve great expense and delay as well as risk of loss. It seems to the court that Binafard has a substantial case to argue that the debtor's default judgment should not stand because Binafard should have been named as an indispensable party in debtor's lawsuit because debtor was aware of the Binafard suit having been sued as a party and the lawsuit involves the same subject matter as the title to the property. Moreover, having to litigate title to the property in the Binafard suit would involve delay of any sale or disposition of the property, which involves immediate risk to the estate because of the threatened foreclosure by the HOA which has been granted stay relief. Compromise with Binafard including the sale to him is the only way of eliminating such litigation risk to the estate and allows it to sell the property now. Allowing overbidding and a sale to another party without the compromise with Binafard (i.e., the modifications in the order approving

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compromise requested in movant's motion for reconsideration negate the compromise with Binafard in total) does not avoid the litigation of title to the property with Binafard, which is a risk to the estate as to whether it can sell the property without resolving the title issue. One of the arguments that movant makes against the compromise and sale is that the court should not engage in a de facto state court appeal in considering the dispute between debtor and Binafard, and the court rejects this argument because the court would not be engaging in any litigation of the appeal, but simply evaluating the risks posed by such litigation as A & C Properties directs.

Appearances are required on 12/8/20, but counsel and self-represented parties must appear by telephone.

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**United States Bankruptcy Court
Central District of California
Los Angeles
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Nikolay Machevsky

Chapter 7

operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling.

The Court hereby provides notice to the parties to the contested matter of the motion of Creditor Data Leverage, LLC, for reconsideration of the order granting the motion of Chapter 7 Trustee for order approving compromise and authorizing trustee to transfer real property free and clear of liens and interests that the Court will hold the evidentiary hearing on the reconsideration motion on **November 19, 2020 at 9:00 a.m.**, which will be conducted via Zoom for Government. Participants will be connected to the courtroom using Zoom for Government but will not be physically present in the courtroom. Participants must connect to the Zoom for Government courtroom no later than 8:50 a.m. and check in with the law clerk/DECRO. If a trial participant is having problems connecting to the trial, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Evidentiary Hearing: November 19, 2020 at 9:00 a.m.

a. Video. Utilize the following link:

<https://cacb.zoomgov.com/j/1606187779>
and insert **Meeting ID:** 160 618 7779 and **Password:** 4C%.jz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Wednesday, December 9, 2020

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Nikolay Machevsky

Chapter 7

- b. Audio only. Audio-only participants must call into Zoom for Government by calling: +1 669 254 5252, or +1 646 828 7666; and insert **Meeting ID:** 160 618 7779 and **Password:** 806754

Prior tentative ruling as of 11/9/20. No tentative ruling on the merits. Appearances are required on 11/10/20, but counsel and self-represented parties must appear by telephone.

Revised and updated tentative ruling as of 11/4/20. At the continued hearing on 11/4/20, the court expects to call upon the United States Trustee for a report on his investigation. After this report, the court may ask the parties to address the following questions: (1) as movant is requesting that the court set aside the order approving the Binafard compromise/sale motion pursuant to FRCP 60(b)(1) and (3), In re Ex-Cel Concrete Co., Inc., 178 B.R. 198 (9th Cir. BAP 1995) (bankruptcy court abused its discretion to deny FRCP 60(b) motion when no notice given to secured creditor of motion to sell free and clear as sale order was void for lack of due process), based on a finding that the trustee failed to serve it as a creditor with the Binafard compromise motion as required by FRBP 2002(a)(2) and/or (3), does the evidence in the record consisting of the original and amended proofs of service, the declarations of the legal assistant for trustee's counsel, Casas, and movant's former counsel, Sment, conflict, require credibility determinations that necessitate an evidentiary hearing for the court to make findings to resolve disputed issues of material fact, FRBP 9014(d) and (e); Tyner v. Nicholson (In re Nicholson), 435 B.R. 622, 635-636 (9th Cir. BAP 2010); (2) were the terms of the Binafard compromise/sale motion fair and equitable under FRBP 9019 and do the circumstances of the compromise for sale of the real property warrant the court's discretion to apply the sale procedures of 11 U.S.C. 363, including overbidding, In re Berkeley Delaware Court, LLC, 834 F.3d 1036, 1040 (9th Cir. 2016) (the bankruptcy court has discretion to apply 11 U.S.C. 363 procedures to a sale of claims pursuant to a settlement approved under FRBP 9019); In re Mickey Thompson Entertainment Group, Inc., 292 B.R. 415, 421-422 and n. 7 (9th Cir. BAP 2003)(the bankruptcy court has discretion to impose formal sales procedures of 11 U.S.C. depending "upon the dynamics of the particular situation", and it was an abuse of discretion under the circumstances not to apply sales procedures where compromise was in effect

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Nikolay Machevsky

Chapter 7

just a sale); In re Douglas J. Roger, M.D., Inc., 393 F.Supp.3d 940 (C.D. Cal. 2019) (the bankruptcy court abused its discretion by overriding the trustee's business judgment seeking court approval for a compromise involving sale of claims before considering whether the compromise was fair and equitable under FRBP 9019 and whether overbidding under 11 U.S.C. 363 provided additional benefits to the estate); (3) is the evidence of contact between movant's representative, Linton, and trustee's counsel, Zamora, sufficient to put the trustee on notice of movant as a potential overbidder (i.e., the email correspondence of July 2, 2019 between Linton and Zamora, Exhibit D to the trustee's opposition to the reconsideration motion) to trigger the application of Local Bankruptcy Rule 6004-1(c) (1)(B) requiring a hearing on the Binafard compromise/sale motion pursuant to Local Bankruptcy Rule 9013-1(d) before a ruling on the motion.

Appearances are required on 11/4/20, but counsel and self-represented parties must appear by telephone.

Party Information

Debtor(s):

Nikolay Machevsky

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Nancy H Zamora

**United States Bankruptcy Court
Central District of California
Los Angeles
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Courtroom 1675 Calendar**

Friday, December 11, 2020

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.

#1.00 Hearing re: Cathay Bank's ex parte application to continue expedited hearing and briefing schedule on plan agents motion to amend

Docket 814

Courtroom Deputy:

- NONE LISTED -

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
Alan I Nahmias

Defendant(s):

Ace Gallery New York Corporation,

Represented By
Alan W Forsley

Douglas Christmas

Represented By
Jonathan Seligmann Shenson

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

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Los Angeles
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Friday, December 11, 2020

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CONT... Art and Architecture Books of the 21st Century Chapter 11

Ronald Rus
Fahim Farivar
Brian L Davidoff
Keith Patrick Banner

Jennifer Kellen

Represented By
J. Bennett Friedman

Michael D. Smith

Represented By
Brian L Davidoff

Kamran Gharibian

Represented By
Brian L Davidoff

Daryoush Dayan

Represented By
Brian L Davidoff

Cathay Bank, a California

Represented By
Ekwan E Rhow
Elliot C Harvey Schatmeier

Jennifer Kellen

Represented By
Michael D Sobkowiak

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
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Art and Architecture Books of the 21st Century

Jason Balitzer

Steven Thomas

Stephen Sorensen

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**United States Bankruptcy Court
Central District of California
Los Angeles
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Courtroom 1675 Calendar**

Tuesday, December 15, 2020

Hearing Room 1675

10:30 AM

2:18-21789 Samuel Marquez

Chapter 11

#1.00 Cont'd hearing re: Motion for relief from stay
(U.S. Bank Trust National Association VS Debtor)
fr. 8/27/19, 9/17/19, 11/10/20

Docket 65

Tentative Ruling:

Updated tentative ruling as of 12/14/20. No tentative ruling on the merits. Movant to address any impact of the current federal and state eviction moratoriums on the request for relief. Appearances are required on 12/15/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 15, 2020

Hearing Room 1675

10:30 AM

CONT...

Samuel Marquez

Chapter 11

Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 11/9/20. No tentative rulling on the merits. Appearances are required on 11/10/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 9/16/19. No tentative ruling on the merits. Appearances are required on 9/17/19 to discuss the status of the parties' settlement negotiations regarding plan treatment of creditor's claim and scheduling of further proceedings on the motion if the matter is not settled, but counsel may appear by telephone.

Prior tentative ruling as of 8/26/19. Appearances are required on 8/27/19, but counsel may appear by telephone.

Party Information

Debtor(s):

Samuel Marquez

Represented By
Onyinye N Anyama

Movant(s):

U.S. Bank Trust National

Represented By
Kristin A Zilberstein

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 15, 2020

Hearing Room 1675

10:30 AM

2:20-19977 LN Ventures, LLC

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(HOF I Grantor Trust 5 VS Debtor)

Docket 16

Tentative Ruling:

The court deems the lack of filing and service of a timely written opposition as consent to granting of the motion, rules on the motion on the papers, and grants relief from stay pursuant to 11 U.S.C. 362(d)(1) for cause to pursue non-bankruptcy remedies and extraordinary relief in paragraph 10 of the motion for 180 day in rem relief from stay for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are required on 12/15/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 15, 2020

Hearing Room 1675

10:30 AM

CONT... LN Ventures, LLC

Chapter 7

reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

LN Ventures, LLC

Represented By
Omero Banuelos

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, December 15, 2020

Hearing Room 1675

1:30 PM

2:14-22240 Shany Benmoshe

Chapter 7

Adv#: 2:20-01060 Ben-Moshe et al v. California State Board Of Equalization

#3.00 Cont'd status conference re: Complaint for 1. declaratory relief; 2. Violation of discharge fr. 5/12/20, 6/9/20

Docket 1

***** VACATED *** REASON: Cont'd from 12/15/20 to 4/13/21 at 1:30 p.m.
per stip & order entered on 11/12/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 12/14/20. Off calendar. Continued by stipulation and order to 4/13/21 at 1:30 p.m. No appearances are required on 12/15/20.

Prior tentative ruling. The court has reviewed the joint status report and notes that the parties do not agree as to dates for a schedule of pretrial proceedings and whether the matter should be ordered to mediation. No tentative ruling on the merits. Appearances are required on 6/9/20 to discuss scheduling and possible referral to mediation, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Shany Benmoshe

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 15, 2020

Hearing Room 1675

1:30 PM

CONT... Shany Benmoshe

Chapter 7

Simon Aron
Barry E Cohen

Defendant(s):

California State Board Of

Pro Se

Plaintiff(s):

Shany Ben-Moshe

Represented By
Barry E Cohen

Shany Benmoshe

Represented By
Barry E Cohen

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, December 15, 2020

Hearing Room 1675

1:30 PM

2:15-25283 Arturo Gonzalez

Chapter 7

Adv#: 2:20-01647 Gonzalez v. Avery et al

#4.00 Status conference re: Complaint for 1. damages to plaintiff, home been unnecessarily sold, 2. fraud upon the court, 3. bankruptcy proceeding be vacated due to a fraud upon the court

Docket 1

Tentative Ruling:

Revised and updated tentative ruling as of 12/15/20 at 10:00 a.m. The court notes that none of the parties have made a CourtCall telephone appearance reservation for the status conference at 1:30 p.m., but only the hearing on the motion to dismiss at 2:30 p.m. In the interests of judicial economy and convenience to the court and the parties, the court will conduct the status conference at 2:30 p.m.

Appearances are required on 12/15/20 at 2:30 p.m. with the hearing on the motion to dismiss, not 1:30 p.m. as originally scheduled, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 15, 2020

Hearing Room 1675

1:30 PM

CONT...

Arturo Gonzalez

Chapter 7

parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Arturo Gonzalez	Pro Se
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Defendant(s):

Wesley H Avery	Pro Se
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Anerio Altman	Pro Se
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Does 1 - 20	Pro Se
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Plaintiff(s):

Arturo Gonzalez	Pro Se
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Trustee(s):

Wesley H Avery (TR)	Represented By Brett B Curlee Dennis E McGoldrick
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 15, 2020

Hearing Room 1675

1:30 PM

2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01474 Avery v. Voong

#5.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential, fraudulent, unauthorized postpetition transfers; and disallowance of claim fr.6/9/20, 7/21/20, 9/29/20

Docket 1

***** VACATED *** REASON: Cont'd from 12/15/20 to 4/20/21 at 1:30 p.m.
per order entered on 12/4/20-pp.**

Tentative Ruling:

Updated tentative ruling as of 12/14/20. Off calendar. Continued by stipulation and order to 4/20/21 at 1:30 p.m. No appearances are required on 12/15/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Kevin Voong

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 15, 2020

Hearing Room 1675

1:30 PM

2:18-11475 Catherine Trinh

Chapter 11

Adv#: 2:18-01209 Voong v. Trinh

#6.00 Cont'd status conference re: Adversary complaint for declaratory relief
fr. 4/28/20, 6/30/20, 9/29/20

Docket 1

***** VACATED *** REASON: Cont'd from 12/15/20 to 4/20/21 at 1:30 p.m.
per stip & order entered on 12/14/20-pp.**

Tentative Ruling:

Updated tentative ruling as of 12/14/20. Off calendar. Continued by stipulation and order to 4/20/21 at 1:30 p.m. No appearances are required on 12/15/20.

Revised and updated tentative ruling as of 9/25/20. Off calendar. Continued by stipulation and order to 12/15/20 at 1:30 p.m. No appearances are required on 9/29/20.

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, December 15, 2020

Hearing Room 1675

1:30 PM

2:18-17189 Seven-Bros Enterprises, Inc.

Chapter 7

#7.00 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. 4/28/20, 6/30/20, 9/29/20

Docket 36

***** VACATED *** REASON: Cont'd from 12/15/20 to 4/20/21 at 1:30 p.m.
per stip & order entered on 12/14/20-pp.**

Tentative Ruling:

Revised and updated tentative ruling as of 12/14/20. Off calendar. Continued by stipulation and order to 4/20/21 at 1:30 p.m. No appearances are required on 12/15/20.

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
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Tuesday, December 15, 2020

Hearing Room 1675

1:30 PM

2:18-17189 Seven-Bros Enterprises, Inc.

Chapter 7

#8.00 Cont'd hearing re: Motion of Salvato Law Offices to withdraw as counsel for debtor fr. 4/28/20, 6/30/20, 12/15/20

Docket 82

***** VACATED *** REASON: Cont'd from 12/15/20 to 4/20/21 at 1:30 p.m.
per stip & order entered on 12/14/20-pp.**

Tentative Ruling:

Revised and updated tentative ruling as of 12/14/20. Off calendar. Continued by stipulation and order to 4/20/21 at 1:30 p.m. No appearances are required on 12/15/20.

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 15, 2020

Hearing Room 1675

1:30 PM

2:18-21855 Michael Richard Shapiro

Chapter 7

Adv#: 2:19-01009 Vechery v. Shapiro

#9.00 Cont'd status conference re: Complaint to determine non-dischargeability of debt under bankruptcy code section 523 fr. 4/28/20, 8/4/20, 11/17/20

Docket 1

***** VACATED *** REASON: Cont'd fr. 12/15/20 to 1/19/21 at 1:30 p.m. per stip and order entered on 12/8/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 12/14/20. Off calendar. Continued by stipulation and order to 1/19/21 at 1:30 p.m. No appearances are required on 12/15/20.

Revised and updated tentative ruling as of 8/3/20. The court has reviewed plaintiff's unilateral statement for the status conference filed on 8/3/20. Apparently, the mediation has not yet been conducted. According to plaintiff in his statement, he believes that an in person mediation would be more successful than one by videoconference, but defendant is not willing to have an in person mediation in light of current pandemic conditions, suggesting that the parties be allowed to complete an in person mediation by February 2021, assuming the pandemic subsides. Since the statement was unilateral, the court will hear from both parties as to the status of the pending mediation and the scheduling of further proceedings, including whether plaintiff intends to further amend the complaint as stated in its motion to extend discovery deadlines filed on 6/30/20. Appearances are required on 8/4/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 15, 2020

Hearing Room 1675

1:30 PM

CONT... Michael Richard Shapiro

Chapter 7

COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through September 30, 2020, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 15 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 4/27/20. The court has reviewed plaintiff's unilateral status report and defendant's joinder and grants joint request to continue scheduling dates as follows: (1) discovery cutoff date extended from 3/31/20 to 6/30/20; (2) status report filing due date extended from 4/21/20 to 7/28/20; (3) status conference continued from 4/28/20 at 1:30 p.m. to 8/4/20 at 1:30 p.m.; and (4) mediation completion deadline extended from 4/28/20 to 8/4/20. Plaintiff to lodge a proposed updated scheduling order within 7 days.

Appearances are optional on 4/28/20, but counsel and self-represented parties may and should appear by telephone, if appearing. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is closed to the public by order of the chief judge of the United States District Court for the Central District of California (Order of the Chief

**United States Bankruptcy Court
Central District of California
Los Angeles
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Courtroom 1675 Calendar**

Tuesday, December 15, 2020

Hearing Room 1675

1:30 PM

CONT... **Michael Richard Shapiro**

Chapter 7

Judge No. 20-042). Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Revised tentative ruling as of 10/7/19. The court has reviewed modified joint status report. Set a discovery cutoff date of 3/31/20, and a post-discovery status conference on 4/28/20 at 1:30 p.m. with a joint status report due on 4/21/20. Defendant should address why the matter is not amenable to mediation. Appearances are required on 10/8/19, but counsel may appear by telephone.

Prior tentative ruling as of 7/29/19. No tentative ruling in light of the pending motion to dismiss the second amended complaint. The court will hear argument on the motion to dismiss at the same time as the status conference on the 1:30 p.m. calendar. Appearances are required on 7/30/19 at 1:30 p.m., but counsel may appear by telephone.

Prior tentative ruling as of 5/13/19. Appearances are required on 5/14/19, but counsel may appear by telephone.

Party Information

Debtor(s):

Michael Richard Shapiro

Represented By
Charles Shamash
Joseph E. Caceres

Defendant(s):

Michael Richard Shapiro

Pro Se

Plaintiff(s):

Harvey Vechery

Represented By
Tom Lallas
Mark D Hurwitz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 15, 2020

Hearing Room 1675

1:30 PM

CONT... Michael Richard Shapiro

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, December 15, 2020

Hearing Room 1675

1:30 PM

2:18-23326 Alfred Lee Stringer

Chapter 7

Adv#: 2:19-01053 Lee et al v. Stringer

#10.00 Cont'd pretrial conference re: Adversary complaint for determination of dischargeability and objection to debtor's discharge pursuant to 11 U.S.C. §§ 523(a)(2)(A) and 523(a)(6), for attorney's fees and costs
fr. 9/1/20, 9/08/20, 10/27/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 12/14/20. Appearances are required on 12/15/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 15, 2020

Hearing Room 1675

1:30 PM

CONT...

Alfred Lee Stringer

Chapter 7

Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 10/22/20. No tentative ruling on the merits. Appearances are required on 10/27/20, but counsel and self-represented parties must appear by telephone.

Party Information

Debtor(s):

Alfred Lee Stringer

Pro Se

Defendant(s):

Alfred Lee Stringer

Pro Se

Plaintiff(s):

Mylaunna Lee

Represented By
Albert L Chaney III

Sharlet Marie Lee

Represented By
Albert L Chaney III

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Courtroom 1675 Calendar**

Tuesday, December 15, 2020

Hearing Room 1675

1:30 PM

2:19-10246 Dean Henrik Okland

Chapter 11

Adv#: 2:19-01102 Sunderland et al v. Okland

#11.00 Cont'd status conference re: Complaint for: (1)-(3) exception to discharge of certain debts [11 U.S.C. §§523(a)(2)(A),(4) and (6); (4)-(7) denial of discharge as to all debts [11 U.S.C. §§727(a)(2)-(5)]
fr. 6/2/20, 6/16/20, 10/20/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 12/14/20. No tentative ruling on the merits. Appearances are required on 12/15/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
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Hearing Room 1675

1:30 PM

CONT...

Dean Henrik Okland

Chapter 11

scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 10/16/20. No tentative ruling on the merits. Appearances are required on 10/20/20, but counsel and self-represented parties must appear by telephone.

Prior tentative ruling as of 6/12/20. No tentative ruling on the merits. The court and the parties will discuss setting a schedule of pretrial proceedings, including a discovery cutoff date, a post-discovery status conference date or a pretrial conference date. Appearances are required on 6/16/20, but counsel and self-represented parties must appear by telephone.

Party Information

Debtor(s):

Dean Henrik Okland

Represented By
Matthew D. Resnik
Roksana D. Moradi-Brovia

Defendant(s):

Dean Henrik Okland

Represented By
Roksana D. Moradi-Brovia

Plaintiff(s):

Jennifer Sunderland

Represented By
Kimberly Wright

James Farrow

Represented By
Kimberly Wright

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 15, 2020

Hearing Room 1675

1:30 PM

2:19-13487 Georgie Charlie Chong Putera

Chapter 7

Adv#: 2:19-01198 Wheel Group Holdings, LLC v. Chong Putera

#12.00 Cont'd status conference re: Complaint to determine dischargeability of debtor
[11 U.S.C. §523(a)(6)]
fr. 11/5/20, 1/28/20, 4/14/20

Docket 1

***** VACATED *** REASON: Cont'd from 12/15/20 to 2/16/21 at 1:30 p.m.
per stip & order entered on 11/5/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 12/14/20. Off calendar. Continued by stipulation and order to 2/16/21 at 1:30 p.m. No appearances are required on 12/15/20.

Prior tentative ruling as of 4/10/20. Set a discovery cutoff date of 11/30/20 and a post-discovery status conference on 12/15/20 at 1:30 p.m. A joint status report is due on 12/8/20. Order the parties to mediation, and the parties are to file a request to select a mediator and an alternate mediator by 5/29/20 and complete mediation by 12/15/20. Plaintiff to submit a proposed scheduling order within 7 days of hearing. Appearances are required on 4/14/20, but counsel must appear by telephone.

Party Information

Debtor(s):

Georgie Charlie Chong Putera

Represented By
Eliza Ghanooni

Defendant(s):

Georgie Charlie Chong Putera

Pro Se

Plaintiff(s):

Wheel Group Holdings, LLC

Represented By
Leslie R Horowitz

**United States Bankruptcy Court
Central District of California
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Tuesday, December 15, 2020

Hearing Room 1675

1:30 PM

CONT... Georgie Charlie Chong Putera

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, December 15, 2020

Hearing Room 1675

1:30 PM

2:19-22559 Eui Joon Park

Chapter 7

Adv#: 2:20-01023 Brad D. Krasnoff, Chapter 7 Trustee v. Park

#13.00 Cont's status conference re: Trustee's complaint: (1) to avoid and recover fraudulent transfer; (2) for turnover; and (3) for declaratory relief fr. 4/7/20, 10/20/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 12/14/20. No tentative ruling on the merits. Appearances are required on 12/15/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
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Tuesday, December 15, 2020

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1:30 PM

CONT...

Eui Joon Park

Chapter 7

Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling. Set a discovery cutoff date of 9/30/20 and a post-discovery status conference on 10/20/20 at 1:30 p.m. A joint status report is due on 10/13/20. Order the parties to mediation, and the parties are to file a request to select a mediator and an alternate mediator by 5/29/20 and complete mediation by 10/20/20. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Appearances are required on 4/7/20, but counsel must appear by telephone.

Party Information

Debtor(s):

Eui Joon Park

Represented By
Young K Chang

Defendant(s):

Young Joo Park

Pro Se

Plaintiff(s):

Brad D. Krasnoff, Chapter 7 Trustee

Represented By
Sonia Singh

Trustee(s):

Brad D Krasnoff (TR)

Represented By
Zev Shechtman

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, December 15, 2020

Hearing Room 1675

1:30 PM

2:20-16259 Coby J. Hollier

Chapter 7

Adv#: 2:20-01646 Strategic Funding Source, Inc.d/b/a Kapitus v. Hollier

#14.00 Status conference re: Complaint to determine nondischargeability of debt pursuant to 11 U.S.C. §§523(a)(2)(a)(4) and (a)(6)

Docket 1

Tentative Ruling:

Off calendar. The court has reviewed plaintiff's unilateral status report stating that it is preparing a motion for default judgment now that default has been entered against defendant and requesting a continuance of the status conference for consideration of the anticipated motion. The court on its own motion continues the status conference to 2/16/21 at 1:30 p.m. No appearances are required on 12/15/20.

Party Information

Debtor(s):

Coby J. Hollier

Represented By
Keith Q Nguyen

Defendant(s):

Coby J. Hollier

Pro Se

Plaintiff(s):

Strategic Funding Source, Inc.d/b/a

Represented By
Brian T Harvey

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, December 15, 2020

Hearing Room 1675

2:30 PM

2:18-15448 Johnny Chun Choi and Tae Yi Choi

Chapter 7

#15.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Howard M. Ehrenberg, Chapter 7 Trustee]

Docket 68

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the final report and fee application of the trustee, the court determines that oral argument on the final report and fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final report and fee application, rules on the final report and fee application on the papers, and approves the final report and fee application for the reasons stated in the final report and fee application and for lack of timely written opposition. No appearances are required on 12/8/20. Trustee to lodge a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Johnny Chun Choi

Represented By
Desiree Meguerditchian

Joint Debtor(s):

Tae Yi Choi

Represented By
Desiree Meguerditchian

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, December 15, 2020

Hearing Room 1675

2:30 PM

2:18-15448 Johnny Chun Choi and Tae Yi Choi

Chapter 7

#16.00 Hearing re: Application for fees and expenses
[Grobstein Teeple, LLP, Accountants for Chapter 7 Trustee]

Docket 66

Tentative Ruling:

Off calendar. In light of the lack of any timely written opposition to the final fee application of accountant for the trustee, the court determines that oral argument on the final fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final fee application, rules on the final fee application on the papers, and approves the final fee application for the reasons stated in the final fee application and for lack of timely written opposition. No appearances are required on 12/15/20. Applicant or trustee to lodge a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Johnny Chun Choi

Represented By
Desiree Meguerditchian

Joint Debtor(s):

Tae Yi Choi

Represented By
Desiree Meguerditchian

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 15, 2020

Hearing Room 1675

2:30 PM

2:19-10246 Dean Henrik Okland

Chapter 7

Adv#: 2:19-01102 Sunderland et al v. Okland

#17.00 Hearing re: Plaintiff Chapter 7 trustee Howard M. Ehrenberg's motion for partial summary judgment – fifth claim for relief – denial of discharge for concealment, destruction, or failure to preserve the debtor's books and records pursuant to 11 U.S.C. § 727(a)(3) and violation of a court's order pursuant to 11 U.S.C. § 727(a)(6).

Docket 42

***** VACATED *** REASON: Cont'd from 12/15/20 to 1/12/21 at 2:30 p.m.
per order entered on 12/10/20-mb.**

Tentative Ruling:

Off calendar. The hearing is continued on the court's own motion by prior order to 1/12/21 at 2:30 p.m. No appearances are required on 12/15/20.

Party Information

Debtor(s):

Dean Henrik Okland

Pro Se

Defendant(s):

Dean Henrik Okland

Represented By
Gary R Wallace

Movant(s):

HOWARD M EHRENBERG

Represented By
Jeffrey S Shinbrot

HOWARD M EHRENBERG

Represented By
Jeffrey S Shinbrot

Howard M Ehrenberg (TR)

Represented By
Jeffrey S Shinbrot

Plaintiff(s):

HOWARD M EHRENBERG

Represented By
Jeffrey S Shinbrot

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2:30 PM

CONT... Dean Henrik Okland

Chapter 7

Jennifer Sunderland

Represented By
Kimberly Wright

James Farrow

Represented By
Kimberly Wright

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Jeffrey S Shinbrot

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, December 15, 2020

Hearing Room 1675

2:30 PM

2:19-15989 Briena Sheree Casares

Chapter 7

#18.00 Hearing re: Chapter 7 Trustee's motion for order compelling turnover of estate property and documents

Docket 41

Tentative Ruling:

Grant trustee's motion for turnover for the reasons stated in the moving papers and for lack of timely written opposition. However, with respect to executing the turnover order, trustee should address whether there is any restriction on execution of a turnover order due to restrictions of the current state or county safer-at-home orders, other covid-19 safety precautions or the current federal and state residential eviction moratoriums. Appearances are required on 12/15/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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Los Angeles
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Tuesday, December 15, 2020

Hearing Room 1675

2:30 PM

CONT... Briena Sheree Casares

Chapter 7

reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Briena Sheree Casares

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Toan B Chung

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, December 15, 2020

Hearing Room 1675

2:30 PM

2:20-10131 Alex S Min

Chapter 7

#19.00 Hearing re: Chapter 7 trustee's motion for orders: (1) approving short sale of real property of the estate free and clear of liens pursuant to bankruptcy code §§ 363 (b) & 363(f); (2) approving payment of real estate commissions; and (3) granting related reliefs

Docket 51

Tentative Ruling:

Grant trustee's motion for orders approving short sale of real property of the estate free and clear of liens pursuant to 11 U.S.C. 363(b) and (f)(2), approving payment of real estate commissions, waiving 14-day stay on sale order and finding buyers to be good faith purchasers pursuant to 11 U.S.C. 363(m) for the reasons stated in the moving papers and for lack of timely written opposition. Trustee has met the requirements of 11 U.S.C. 363(f)(2) that the lienholders have consented through express consent by letters of agreement from two junior lienholders and implied consent by the lack of timely opposition by the senior lienholder and the judgment lien creditor despite service, but not 11 U.S.C. 363(f)(3) because the sales price is not greater than the aggregate value of all liens on the property. Appearances are required on 12/15/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, December 15, 2020

Hearing Room 1675

2:30 PM

CONT...

Alex S Min

Chapter 7

CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Alex S Min

Represented By
Young K Chang

Trustee(s):

John P Pringle (TR)

Represented By
Toan B Chung
John P Pringle

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, December 15, 2020

Hearing Room 1675

2:30 PM

2:20-19977 LN Ventures, LLC

Chapter 7

#20.00 Hearing re: HOF I Grantor Trust 5's motion to dismiss chapter 7 case with prejudice

Docket 18

***** VACATED *** REASON: Notice of voluntary dismissal filed on
12/15/20-mb.**

Tentative Ruling:

Revised and updated tentative ruling as 12/15/20 at 11:00 a.m. Off calendar.
The hearing is vacated as moot since movant has filed a notice of voluntary
dismissal. No appearances are required on 12/15/20.

Party Information

Debtor(s):

LN Ventures, LLC

Represented By
Omero Banuelos

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, December 15, 2020

Hearing Room 1675

2:30 PM

2:15-25283 Arturo Gonzalez

Chapter 7

Adv#: 2:20-01647 Gonzalez v. Avery et al

#21.00 Hearing re: Motion by chapter 7 trustee, Wesley H. Avery, for order dismissing complaint pursuant to FRCP 12(b)(b) without leave to amend due to issue preclusion, claim preclusion and failure to state a claim upon which relief can be granted

Docket 6

Tentative Ruling:

Supplemental tentative ruling as of 12/15/20 at 11:15 a.m. The court will conduct the status conference originally scheduled at 1:30 a.m. with the hearing on the motion to dismiss at 2:30 p.m. The court has denied plaintiff's motion to continue the hearing on the motion to dismiss on shortened notice because the motion to continue was not made 3 days in advance of the hearing pursuant to Local Bankruptcy Rule 9013-1(m) and the motion to continue on shortened notice did not contain sufficient grounds to grant shortened notice. Appearances are required in accordance with the prior tentative ruling.

Prior tentative ruling. No tentative ruling as of 12/14/20. Appearances are required on 12/15/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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Tuesday, December 15, 2020

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2:30 PM

CONT...

Arturo Gonzalez

Chapter 7

appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Arturo Gonzalez	Pro Se
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Defendant(s):

Wesley H Avery	Represented By Brett B Curlee
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Anerio Altman	Pro Se
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Does 1 - 20	Pro Se
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Plaintiff(s):

Arturo Gonzalez	Pro Se
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**United States Bankruptcy Court
Central District of California
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Tuesday, December 15, 2020

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CONT... Arturo Gonzalez

Chapter 7

Trustee(s):

Wesley H Avery (TR)

Represented By

Brett B Curlee

Dennis E McGoldrick

**United States Bankruptcy Court
Central District of California
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Wednesday, December 16, 2020

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#1.10 Hearing re: Second interim application for approval of compensation and expense reimbursement of Foley & Lardner, LLP

Docket 720

***** VACATED *** REASON: Hearing vacated per order entered on
12/10/20- mb.**

Tentative Ruling:

Off calendar. Hearing vacated on the court's own motion by prior order, which provides that the application may be renoticed for hearing in compliance with LBR 5005-2(d). No appearances are required on 12/16/20.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar
Shane J Moses

**United States Bankruptcy Court
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Wednesday, December 16, 2020

Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#1.20 Cont'd hearing re: Confirmation of plan
fr. 8/18/20, 10/21/20, 12/9/20

Docket 257

Tentative Ruling:

Supplemental tentative ruling as of 12/16/20. The court has reviewed the fifth amended plan and debtor's supplemental declaration filed on 12/14/20. The court has the following observations: (1) the objection of secured creditor Deutsche Bank is unresolved, and the proposed plan treatment of this creditor in the latest amended plan is opposed, and thus, plan confirmation is still a contested matter; (2) the income and expense schedules in the supplemental documents is unclear regarding the monthly payments on the first and second liens on the mobile home park are for the refinanced loans, taking out the existing loans; (3) the information is incomplete as to whether the refinancing loan satisfies the requirements of postpetition financing under 11 U.S.C. 364, that is, debtor did not provide information on the terms of refinancing loans as ordered; (4) while the amount of general unsecured claims is small, the amount of the priority tax claims, especially of the City of Beverly Hills, is large, and debtor needs to show that the plan is feasible to pay off the city's claims; (5) the plan language is inconsistent as to payoff of priority tax claims within 5 years of the order for relief since the payoff start date is 2/1/21 when the order for relief is the petition date of 4/3/18; (6) the plan does not contain the language in LBR 3020-1(b) regarding revesting of property of the reorganized debtor in a Chapter 7 estate if the case is converted later. Debtor and other witnesses may have to offer testimony during the hearing to provide evidence to address these issues. The court is holding off on entering orders on the final fee applications of estate professionals pending a ruling confirming the plan. Appearances are required on 12/16/20.

Updated tentative ruling as of 12/11/20. Debtor is to address the issues that were discussed at the hearing on 12/7/20 regarding plan treatment of secured creditor Deutsche Bank and evidence in support of plan feasibility as well as the other issues identified in the prior tentative ruling and as discussed at the prior hearing. The court has reviewed the declaration of debtor's insolvency

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Charles Peters

Chapter 11

counsel regarding feasibility, filed on 12/9/20, but because loans are being refinanced and one secured lender is being paid off, it would be helpful if debtor provided updated income and expense projections for 2021 since the amounts of the debt service on the real property loans are changing, and such information is not provided in the declaration. The counsel declaration does not account for payment of the priority tax claim of the City of Beverly Hills or the payments of the general unsecured claims of the IRS and American Express. Debtor should be available to testify in support of feasibility, and interested parties will be able to inquire regarding feasibility based on the newly filed counsel declaration. Appearances are required on 12/16/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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CONT...

Charles Peters

Chapter 11

telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Updated tentative ruling as of 12/7/20. The plan needs to resolve certain issues before it can be confirmed: (1) the objection of secured creditor Deutsche Bank to plan confirmation that the plan cannot modify its lien on debtor's principal residence under 11 U.S.C. 1123(b)(5), the plan does not provide for the full amount of the loan as of the confirmation date and the proposed treatment of paying the secured claim over 30 years with 2% interest does not meet the cramdown "fair and equitable" standards of 11 U.S.C. 1129(b)(2)(A)(i) - unless this dispute is consensually resolved, plan confirmation is a contested proceeding requiring an evidentiary hearing to determine whether the loan term can be stretched out and what the appropriate "cramdown" rate of interest is (i.e., formula v. blended rate, compare *Till v. SCS Credit Corp*, 541 U.S. 465, 478-479 (2004); *In re Sunnyslope Housing Ltd. Partnership*, 859 F.3d 637, 646 (9th Cir. 2017) with *In re Boulders on the River, Inc.*, 164 B.R. 99, 106 (9th Cir. BAP 1994); *In re North Valley Mall, LLC*, 432 B.R. 825, 832 (Bankr. C.D. Cal. 2010)) - the court is not inclined to approve as "fair and equitable" the treatment of the secured claim for purposes of 11 U.S.C. 1129(b) with a stretch-out of an additional 13-14 years on a loan maturing in 16-17 years with 2% interest where the contract rate is a variable APR rate loan between 3 and 6.25%, because of the default risk to the creditor, *In re Fowler*, 903 F.2d 694, 697 (9th Cir. 1990), though the proof of claim lists the current variable rate to be 2%; evidence may have to be taken on the appropriate cramdown interest rate and the valuation of the property and lien, though the issue of loan modification for the subject property under 11 U.S.C. 1123(b)(5) is a legal issue, *In re Wages*, 508 B.R. 161, 165 (9th Cir. BAP 2014) with *In re Scarborough*, 461 F.3d 406, 410-413 (3rd Cir. 2006); (2) the plan does not comply with 11 U.S.C. 1129(a)(9)(C) requiring priority tax claims be paid in full with interest not later than 5 years from the date of the order for relief on 4/3/18, or by 4/3/23, rather than 1/1/26 as proposed in the plan, and debtor must demonstrate feasibility of paying the total unobjected-to priority tax claims of IRS and Beverly Hills in the approximate amount of \$93,000; (3) debtor needs to demonstrate feasibility by showing that he can pay off administrative expense claims pursuant to 11 U.S.C. 1129(a)(9)(A) since the amounts of these claims as

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11:00 AM

CONT... Charles Peters

Chapter 11

reflected in the final fee applications have run higher than listed in the plan and disclosure statement. Debtor must show that the plan is feasible that he can pay the administrative expense claims and the priority tax claims as proposed in the plan or by the deadline for payment of priority tax claims in April 2023. According to debtor in his plan confirmation brief, since approval of the disclosure statement, he has obtained approval of a refinancing loan for the mobile home park which should demonstrate plan feasibility to pay off administrative expense claims, priority tax claims and other claims, but there is no evidence of this in the record. The plan or plan confirmation order must include the language in LBR 3020-1(b) concerning postconfirmation requirements, including revesting property of the reorganized debtor in a Chapter 7 bankruptcy estate if the case is converted to Chapter 7.

Appearances are required on 12/9/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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11:00 AM

CONT... Charles Peters

Chapter 11

scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 10/19/20. No tentative ruling on the merits in light of the objection of administrative expense creditor Law Offices of Michael Jay Berger. Debtor should discuss when he would be able to refinance his real property to pay administrative expense claimants since they all have to consent to the proposed treatment of their claims pursuant to 11 U.S.C. 1129(a)(9)A). The plan should incorporate the mandatory language of LBR 3020-1(b) referring to revesting of property of the reorganized debtor in a Chapter 7 estate if the case is converted to Chapter 7 for a postconfirmation default. The plan should correct typographical and spelling errors, such as plan date of "October 7, 2010," or the court being the "Los Angele Division" or the court address of "155 E. Temple St" in the case caption for the plan. Appearances are required on 10/21/20, but counsel and self-represented parties must appear by telephone.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Giovanni Orantes
Luis A Solorzano

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 16, 2020

Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#1.30 Cont'd status conference re: Management of chapter 11 case
fr. 9/2/20, 10/21/20, 12/9/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 12/11/20. No tentative ruling on the merits. Appearances are required on 12/16/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 16, 2020

Hearing Room 1675

11:00 AM

CONT... Charles Peters

Chapter 11

telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Giovanni Orantes
Luis A Solorzano

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 16, 2020

Hearing Room 1675

11:30 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01466 Avery v. Gia Phu Fashion Garment Co.

#1.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of fraudulent and unauthorized postpetition transfers
fr. 5/19/20, 8/18/20, 9/30/20

Docket 1

***** VACATED *** REASON: Cont'd from 12/16/20 to 2/3/21 at 1:30 p.m.
per stip & order entered on 12/10/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 12/11/20. Off calendar. Continued by stipulation and order to 2/3/21 at 1:30 p.m. No appearances are required on 12/16/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Gia Phu Fashion Garment Co.

Pro Se

Plaintiff(s):

Wesley H. Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 16, 2020

Hearing Room 1675

11:30 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01469 Avery v. Trinh Vuong Garment Co., Ltd.

#2.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential and fraudulent transfers fr. 5/19/20, 8/18/20, 9/30/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 12/11/20. Off calendar. The court has reviewed plaintiff's unilateral status report stating that he will need to obtain an alias summons and serve defendant and requests that the status conference be continued to 2/3/21 at 1:30 p.m. The court grants this request and on its own motion continues the status conference to 2/3/21 at 1:30 p.m. No appearances are required on 12/16/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Trinh Vuong Garment Co., Ltd.

Pro Se

Plaintiff(s):

Wesley H. Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 16, 2020

Hearing Room 1675

11:30 AM

CONT... Kody Branch of California, Inc.

Chapter 7

Richard A Marshack
D Edward Hays
David Wood

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 16, 2020

Hearing Room 1675

11:30 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01472 Avery v. Shanghai Medicines and Health Products Import and

#3.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential and fraudulent transfers fr. 5/19/20, 8/18/20, 9/30/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 12/11/20. Off calendar. The court has reviewed plaintiff's unilateral status report stating that he will need to obtain an alias summons and serve defendant and requests that the status conference be continued to 2/3/21 at 1:30 p.m. The court grants this request and on its own motion continues the status conference to 2/3/21 at 1:30 p.m. No appearances are required on 12/16/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Shanghai Medicines and Health

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 16, 2020

Hearing Room 1675

11:30 AM

CONT... Kody Branch of California, Inc.

David Wood

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 16, 2020

Hearing Room 1675

11:30 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01475 Avery v. Van

#4.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential and fraudulent transfers fr. 5/19/20, 8/18/20, 9/30/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 12/11/20. Off calendar. Continued by stipulation and order to 2/3/21 at 1:30 p.m. No appearances are required on 12/16/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Trinh Thi Hong Van

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 16, 2020

Hearing Room 1675

11:30 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01476 Avery v. Chau

#5.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential, fraudulent, unauthorized postpetition transfers; and disallowance of claim fr. 5/19/20, 8/18/20, 9/30/20

Docket 1

***** VACATED *** REASON: Cont'd from 12/16/20 to 2/3/21 at 1:30 p.m.
per stip & order entered on 12/10/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 12/11/20. Off calendar. Continued by stipulation and order to 2/3/21 at 1:30 p.m. No appearances are required on 12/16/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Cong Ty Tnhh Anh Chau

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 16, 2020

Hearing Room 1675

11:30 AM

CONT... Kody Branch of California, Inc.

David Wood

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 16, 2020

Hearing Room 1675

11:30 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01477 Avery v. Shaoxing LeiLei Import & Export Company

#6.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of fraudulent, unauthorized postpetition transfers; and disallowance of claim fr. 5/19/20, 8/18/20, 9/30/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 12/11/20. Off calendar. Continued by stipulation and order to 2/3/21 at 1:30 p.m. No appearances are required on 12/16/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Shaoxing LeiLei Import & Export

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 16, 2020

Hearing Room 1675

11:30 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01478 Avery v. Shaoxing Tuchang Knitting Textile Co., Ltd.

#7.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential fraudulent, unauthorized postpetition transfers; and disallowance of claim fr. 5/19/20, 8/18/20, 9/30/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 12/11/20. Off calendar. Continued by stipulation and order to 2/3/21 at 1:30 p.m. No appearances are required on 12/16/20.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Shaoxing Tuchang Knitting Textile

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 16, 2020

Hearing Room 1675

11:30 AM

2:20-18801 Hollywood for Children, Inc., a New York non-profi

Chapter 11

#8.00 Cont'd status conference re: Chapter 11 case (Subchapter V)
fr. 11/18/20

Docket 1

Tentative Ruling:

Updated tentative ruling as of 12/14/20. The court has reviewed debtor's updated status report. No tentative ruling on the merits. Appearances are required on 12/16/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 16, 2020

Hearing Room 1675

11:30 AM

CONT... Hollywood for Children, Inc., a New York non-profi Chapter 11

will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Prior tentative ruling as of 11/16/20. No tentative ruling on the merits. Appearances are required on 11/18/20, but counsel and self-represented parties must appear by telephone.

Party Information

Debtor(s):

Hollywood for Children, Inc., a New

Represented By
Daniel A Lev

Trustee(s):

Andrew W. Levin (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 16, 2020

Hearing Room 1675

11:30 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#8.10 Cont'd status conference re: Post confirmation of plan
fr. 11/18/20, 12/2/20, 12/9/20

Docket 119

Tentative Ruling:

Updated tentative ruling as of 12/11/20. No tentative ruling on the merits. Appearances are required on 12/16/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 16, 2020

Hearing Room 1675

11:30 AM

CONT... People Who Care Youth Center, Inc.

Chapter 11

demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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, December 16, 2020

Hearing Room 1675

1:30 PM

2:13-17409 Ayers Bath (U.S.A.), Co.,Ltd.

Chapter 7

#9.00 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. 8/4/20, 10/28/20, 12/2/20

Docket 118

***** VACATED *** REASON: Cont'd from 12/16/20 to 1/19/21 at 1:30 p.m.
per order entered on 12/3/20-mb.**

Tentative Ruling:

Updated tentative ruling as of 12/11/20. Off calendar. Continued by stipulation and order to 1/19/21 at 1:30 p.m. No appearances are required on 12/16/20.

Prior tentative ruling as of 7/31/20. Since discovery as extended ended on 7/17/20, the court will set the matter for a pretrial conference. The court requests that counsel review and be thoroughly familiar with Local Bankruptcy Rule 7016-1 regarding preparation of a pretrial stipulation to be submitted for the pretrial conference. The court will discuss scheduling of the pretrial conference and will preliminarily discuss the conduct of the trial which may be remotely by videoconferencing in light of the Covid-19 pandemic. Appearances are required on 8/4/20, but counsel and self-represented parties must appear by telephone.

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, December 17, 2020

Hearing Room 1675

10:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#1.00 Discovery dispute conference re: Motion for order disallowing proof of claim no. 7-1
filed by Ghazer Zehnaly
fr. 7/22/20, 10/21/20, 11/16/20

Docket 343

Tentative Ruling:

Updated tentative ruling as of 12/16/20. Given the escalating costs of litigation of this bankruptcy case without a reasonable prospect of rehabilitation and the resulting diminution of the remaining assets of the estate, the court is considering staying the proceedings of this contested matter and issuing an order to show cause why this bankruptcy case should not be converted to Chapter 7 or a trustee appointed pursuant to 11 U.S.C. 1112(b)(4)(A). Appearances are required on 12/17/20, but counsel and self-represented parties must appear by telephone.

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, December 17, 2020

Hearing Room 1675

10:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Updated tentative ruling as of 11/10/20. No tentative ruling on the merits. Appearances are required on 11/16/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, December 17, 2020

Hearing Room 1675

10:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

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**

Thursday, December 17, 2020

Hearing Room 1675

2:00 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.

#2.00 Hearing re: Motion to: (A) Extend Expert Discovery Deadlines; and (B) Schedule Hearing on Request to Strike Portions of Plan Agent's Expert Report

Docket 805

Tentative Ruling:

Updated tentative ruling as of 12/16/20. The dispute over the part of the motion to have been heard on 12/17/20 is apparently resolved by stipulation and order entered on 12/16/20. Appearances are optional on this matter on 12/17/20.

Tentative ruling as of 12/14/20. The hearing on the part of the motion to strike plan agent's expert report is continued by stipulation and order to 1/7/21 at 2:00 p.m. by order entered on 12/11/20.

The hearing on the part of the motion to extend expert discovery deadlines remains on calendar on 12/17/20. No tentative ruling on the merits. Appearances are required on 12/17/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, December 17, 2020

Hearing Room 1675

2:00 PM

CONT... **Art and Architecture Books of the 21st Century** Chapter 11

CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye
Alan I Nahmias

Defendant(s):

Ace Gallery New York Corporation,

Represented By
Alan W Forsley

Douglas Christmas

Represented By
Jonathan Seligmann Shenson

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**

Thursday, December 17, 2020

Hearing Room 1675

2:00 PM

CONT... Art and Architecture Books of the 21st Century Chapter 11

400 S La Brea, LLC a California

Represented By
Michael W Vivoli
Ronald Rus
Fahim Farivar
Brian L Davidoff
Keith Patrick Banner

Jennifer Kellen

Represented By
J. Bennett Friedman

Michael D. Smith

Represented By
Brian L Davidoff

Kamran Gharibian

Represented By
Brian L Davidoff

Daryoush Dayan

Represented By
Brian L Davidoff

Cathay Bank, a California

Represented By
Ekwan E Rhow
Elliot C Harvey Schatmeier

Jennifer Kellen

Represented By
Michael D Sobkowiak

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

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, December 17, 2020

Hearing Room 1675

2:00 PM

CONT...

Art and Architecture Books of the 21st Century

Chapter 11

Carolyn A Dye
David J Richardson
Jason Balitzer
Steven Thomas
Stephen Sorensen

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, December 17, 2020

Hearing Room 1675

2:00 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.

#3.00 Hearing re: Motion of plan agent for leave to amend sixth amended complaint

Docket 808

***** VACATED *** REASON: Cont'd from 12/17/20 to 1/7/21 at 2:00 p.m.
per stip & order entered on 12/11/20-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 1/7/21 at 2:00 p.m. No appearances are required on 12/17/20.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye
Alan I Nahmias

Defendant(s):

Douglas Christmas

Represented By
Jonathan Seligmann Shenson

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
Ronald Rus
Fahim Farivar
Brian L Davidoff

**United States Bankruptcy Court
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Art and Architecture Books of the 21st Century

Chapter 11

Keith Patrick Banner

Jennifer Kellen

Represented By
J. Bennett Friedman

Michael D. Smith

Represented By
Brian L Davidoff

Kamran Gharibian

Represented By
Brian L Davidoff

Daryoush Dayan

Represented By
Brian L Davidoff

Cathay Bank, a California

Represented By
Ekwan E Rhow
Elliot C Harvey Schatmeier

Jennifer Kellen

Represented By
Michael D Sobkowiak

Ace Gallery New York Corporation,

Represented By
Alan W Forsley

Plaintiff(s):

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
Steven Thomas
Stephen Sorensen

THE OFFICIAL COMMITTEE OF

Represented By
Victor A Sahn
Daniel A Lev
David J Richardson

**United States Bankruptcy Court
Central District of California
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Art and Architecture Books of the 21st Century

Asa S Hami

Jessica Vogel

Chapter 11

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Central District of California
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Thursday, December 17, 2020

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2:00 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.

#4.00 Cont'd hearing re: Motion to compel discovery
fr. 11/18/20, 12/2/20, 12/9/20

Docket 763

Tentative Ruling:

Updated tentative ruling as of 12/16/20. Appearances are required on 12/17/20 to discuss the form of order for the rulings from the hearing on 12/9/20, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Thursday, December 17, 2020

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CONT...

Art and Architecture Books of the 21st Century

Chapter 11

operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye
Alan I Nahmias

Defendant(s):

Ace Gallery New York Corporation,

Represented By
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Douglas Christmas

Represented By
Alan W Forsley

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ACE MUSEUM, a California

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Michael D. Smith	Represented By Brian L Davidoff
Kamran Gharibian	Represented By Brian L Davidoff
Daryoush Dayan	Represented By Brian L Davidoff
Cathay Bank, a California	Represented By Ekwan E Rhow Elliot C Harvey Schatmeier
Jennifer Kellen	Represented By Michael D Sobkowiak

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 Steven Thomas Stephen Sorensen