

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 8, 2019

Hearing Room 225

9:00 AM

6:18-19208 Lisa Ann Slater and Brent Charles Slater

Chapter 7

#1.00

Kimball, Tirey & St. John, movant attorney

Motion for Relief from Stay

Encanto Apartment Homes, LP vs. DEBTORS
(Motion filed 12/12/18)

Re: 28155 Encanto Dr. #1212, Menifee, CA 92586

Docket 15

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Lisa Ann Slater

Represented By
Barry M Walker

Joint Debtor(s):

Brent Charles Slater

Represented By
Barry M Walker

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 8, 2019

Hearing Room 225

9:00 AM

6:18-19292 Daniel James Dykema and Xiao Yan Dykema

Chapter 7

#2.00

Malcolm Cisneros, movant attorney

Motion for Relief from Stay

Freedome Mortgage Corporation vs. DEBTORS
(Motion filed 11-29-18)

Re: 700 Tyrol Drive, Crestline, CA 92325

Docket 11

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Daniel James Dykema

Represented By
M Wayne Tucker

Joint Debtor(s):

Xiao Yan Dykema

Represented By
M Wayne Tucker

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 8, 2019

Hearing Room 225

9:00 AM

6:18-19424 Librada Fernandez Stahlhut

Chapter 7

#3.00

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

Motion for Relief from Stay

Wells Fargo Bank vs. DEBTOR, Todd A. Frealy, Trustee
(Motion filed 12/6/18)

Re: 2014 Toyota Prius, VIN: JTDKN3DU4E1775928

Docket 9

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Librada Fernandez Stahlhut

Pro Se

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 8, 2019

Hearing Room 225

9:00 AM

6:18-19808 Ileana McKenna

Chapter 7

#4.00

Weinstein & Riley, movant attorney

Motion for Relief from Stay

USAA Federal Savings Bank vs. DEBTOR
(Motion filed 12/13/18)

Re: 2015 BMW M4, VIN: WBS3R9C56FK334537

Docket 8

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Ileana McKenna

Represented By
Jennifer Ann Aragon

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 8, 2019

Hearing Room 225

9:00 AM

6:18-20167 Dena Fry

Chapter 7

#5.00

Bary Lee O'Connor - movant attorney

Motion for Relief from Stay

Value Hotels Corp vs. DEBTOR
(Motion filed 12/17/18)

Re: 10705 Magnolia Ave #212 Riverside, CA 92505

Docket 13

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

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Dena Fry

Pro Se

Movant(s):

Value Hotels Corp dba Riverside Inn

Represented By
Barry L O'Connor

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 8, 2019

Hearing Room 225

2:00 PM

6:14-11644 Vickie Lee Atkins

Chapter 7

#1.00

Hrg. on Debtor's Motion filed 11/29/18 to Reopen Chapter 7 Case

Docket 15

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Vickie Lee Atkins

Represented By
Brian J Soo-Hoo

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 8, 2019

Hearing Room 225

2:00 PM

6:17-19363 Manuel Salvador Noyola Garcia and Martha Figueroa

Chapter 7

#2.00

Hrg. on Trustee's Final Report; Applications for Compensation

Docket 0

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant and allow:

Trustee's fees: \$1,260.85

Trustee's expenses: \$109.57

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Manuel Salvador Noyola Garcia

Represented By
Michael A Rivera

Joint Debtor(s):

Martha Figueroa Osorio

Represented By
Michael A Rivera

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 8, 2019

Hearing Room 225

2:00 PM

6:17-20442 Timothy David Murphy

Chapter 7

#3.00

Hrg. on chapter 7 trustee's Motion filed 12/6/18 for Turnover of Estate Property and Documents

Docket 90

Tentative Ruling:

APPEARANCES REQUIRED.

The Trustee is entitled to inspect the vehicles at issue and, if the Trustee elects, to have them appraised. The Motion is granted, but subject to Debtor's claim of exemptions. In other words, if the Trustee elects to have the vehicles appraised, and the appraiser agrees with Debtor's asserted value, the exemptions will apply and the Debtor will be entitled to keep them.

TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Timothy David Murphy

Represented By
Timothy D Murphy

Trustee(s):

Lynda T. Bui (TR)

Represented By
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 8, 2019

Hearing Room 225

2:00 PM

6:17-20442 Timothy David Murphy

Chapter 7

#4.00

Hrg. on chapter 7 trustee's Application filed 11/26/18 to Employ Hahn Fife & Co., LLC as Accountant

Docket 85

Tentative Ruling:

APPEARANCES REQUIRED.

Chapter 7 Trustee Lynda T. Bui (the "Trustee") applies to the Court (the "Application") for authorization to employ Hahn Fife & Company LLP ("Hahn-Fife") as accountants for the estate to perform tasks such as filing required federal and state tax returns and reviewing financial documents. Debtor Timothy D. Murphy ("Debtor") objects to the Application on the grounds that (1) no tax returns are required to be filed for 2018 in view of the bankruptcy's minimal income, and (2) Hahn-Fife has no expertise in Florida trust or estate accounting practice.

Debtor admits that this is a "no asset case" with claims filed against the estate exceeding \$1 million. By the Debtor's own admissions, then, this is not a surplus case – a case where nonexempt assets exceed liabilities and one in which the debtor can look forward to a distribution of surplus by the chapter 7 trustee after all allowed claims are paid in full.

The law is clear in this situation that the Debtor lacks standing to object to the Trustee's Application to employ Hahn-File. A hopelessly insolvent debtor does not have standing to contest orders affecting the size of the estate because such an order would not diminish the debtor's property, increase his burdens or detrimentally affect his rights." *Duckor Spradling & Metzger v. Baum Trust (In re P.R.T.C., Inc.)*, 177 F.3d 774, 778 n.2 (9th Cir. 1999); *Fondiller v. Roberston (In re Fondiller)*, 707 F.2d 441, 442 (9th Cir. 1983).

The Court wishes to make clear, however, that no portion of the Debtor's exempt

**United States Bankruptcy Court
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2:00 PM

CONT... Timothy David Murphy Chapter 7

assets (or any proceeds thereof) can be used to pay accounting fees of Hahn-Fife or any other professional employed by the estate. *Debilio v. Golden (In re Debilio)*, BAP No. CC-13-1441-TAPaKi, 2014 Bankr. LEXIS (B.A.P. 9th Cir., Sept. 11, 2014) (unpublished but cited for persuasive value).

With that one caveat, the Court approves the Application.

Party Information

Debtor(s):

Timothy David Murphy

Represented By
Timothy D Murphy

Trustee(s):

Lynda T. Bui (TR)

Represented By
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01186 Official Committee Of Unsecured Creditors v. Circulation Technicians, Inc.

#1.00

CONT'D Hearing RE: Defendant Circulation Technicians, Inc.'s Motion For Summary Judgment
(Motion filed 10/18/18)

FR: 11-29-18

Docket 19

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into the status of this matter.

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green
Caroline Djang
Scott D Fink
Reed M Mercado

Defendant(s):

Circulation Technicians, Inc.

Represented By
Scott A Schiff

Plaintiff(s):

Official Committee Of Unsecured

Represented By
Andrew W Caine
Jeffrey P Nolan

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

9:00 AM

CONT... Freedom Communications, Inc.

Chapter 11

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

9:00 AM

8:16-10849 Casey John Simon

Chapter 7

Adv#: 8:16-01187 Gordy v. Simon et al

#2.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Deny And Object To The Debtors' Discharge Pursuant To 11 U.S.C. Section 727 (Complaint filed 8/12/16)

FR: 11-9-16; 3-8-17; 5-31-17; 12-13-17; 2-28-18; 5-30-18; 9-5-18

Docket 1

***** VACATED *** REASON: CONTINUED TO MARCH 27, 2019 AT 9:00 A.M. PER ORDER ON STIPULATION TO CONTINUE STATUS CONFERENCE ENTERED 1-3-19 - (Docket No. [102])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Casey John Simon

Represented By
Kelly Zinser

Defendant(s):

Korrine Ellen Simon

Represented By
Kelly Zinser

Casey John Simon

Represented By
Kelly Zinser

Joint Debtor(s):

Korrine Ellen Simon

Represented By
Kelly Zinser

Plaintiff(s):

Paul Thomas Gordy

Represented By
Gary Leibowitz

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

9:00 AM

CONT... Casey John Simon

Chapter 7

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

9:00 AM

8:18-12427 James Russell Balsamo

Chapter 7

Adv#: 8:18-01189 Labor Commissioner, State of California v. Balsamo

#3.00

STATUS CONFERENCE Hearing RE: Complaint To Request Determination Of Dischargeability Of Debt
(Complaint filed 10/15/18)

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue this matter to January 30, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

James Russell Balsamo

Represented By
Joseph M Tosti

Defendant(s):

James Russell Balsamo

Pro Se

Plaintiff(s):

Labor Commissioner, State of

Represented By
Phoebe P Liu

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

9:00 AM

8:18-12667 WCR Development Company LLC

Chapter 11

#4.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 7/20/18)

FR: 9-19-18

Docket 0

***** VACATED *** REASON: OFF CALENDAR - ORDER DISMISSING
CASE ENTERED 12-12-18 - (Docket No. [45])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

WCR Development Company LLC

Represented By
Robert P Goe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

9:00 AM

8:18-13500 Susan Ann Niemi

Chapter 7

Adv#: 8:18-01184 Niemi v. Mezzetti Financial Services, Inc. et al

#5.00

STATUS CONFERENCE Hearing RE: Complaint For Turnover Of Property Of The Plaintiff's Bankruptcy Estate And For Related Relief 11 U.S.C. Section 542(a), Bankruptcy Procedure 7001 (Complaint filed 10/9/18)

Docket 1

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF VOLUNTARY DISMISSAL OF ADVERSARY PROCEEDING FILED 10-19 -18 - (Docket No. [7])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Susan Ann Niemi

Represented By
Joseph M Tosti

Defendant(s):

Santa Clara Sheriff's Department

Pro Se

JPMorgan Chase Bank, N.A.

Pro Se

Mezzetti Financial Services, Inc.

Pro Se

Plaintiff(s):

Susan Ann Niemi

Represented By
Joseph M Tosti

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

9:00 AM

8:18-14036 David K Toyota

Chapter 11

#6.00

STATUS CONFERENCE Hearing RE: (1) Status of Chapter 11 Case; And (2) Requiring Report On Status Of Chapter 11 Case (Petition filed 11/2/18)

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into compliance with U.S. Trustee guidelines and requirements.

Next status conference: March 13, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

David K Toyota

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

10:00 AM

8:18-13181 Tanya Christine Yakinian

Chapter 7

#1.00

Hearing RE: Pro se Reaffirmation Agreement Between Debtor And SchoolsFirst
Federal Credit Union
(Motion filed 11/28/18)

[RE: Overdraft Loan - Amount: \$4,165.48]

Docket 10

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest in view of the high interest rate.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Tanya Christine Yakinian

Represented By
Michael Jones

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

10:00 AM

8:18-13181 Tanya Christine Yakinian

Chapter 7

#2.00

Hearing RE: Pro se Reaffirmation Agreement Between Debtor And SchoolsFirst
Federal Credit Union
(Motion filed 11/28/18)

[RE: 2014 Kia Sportage - Amount: \$14,703.73]

Docket 11

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Tanya Christine Yakinian

Represented By
Michael Jones

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

10:00 AM

8:18-13827 Danny L Roman

Chapter 7

#3.00

Hearing RE: Reaffirmation Agreement Between Debtor And Toyota Motor
Credit Corporation
(Motion filed 11/28/18)

**[RE: 2018 Toyota Tacoma - Amount: \$37,863.06]
[VIN No.: 5TFRX5GN7JX115351]**

Docket 8

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Danny L Roman

Represented By
Christopher J Langley

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

2:00 PM

8:18-12820 Marc James Cooperstein

Chapter 13

#1.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 10-24-18; 11-16-18

Docket 16

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Marc James Cooperstein

Represented By
Tina H Trinh

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

2:00 PM

8:18-12958 Juan Maldonado Aburto

Chapter 13

#2.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 11-16-18

Docket 18

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Juan Maldonado Aburto

Represented By
Anthony Obehi Egbase

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

2:00 PM

8:18-13011 Gregorio Reyes

Chapter 13

#3.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 11-16-18

Docket 21

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Gregorio Reyes

Represented By
Jaime A Cuevas Jr.

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

2:00 PM

8:18-13019 Edgar Sebastian Vazquez

Chapter 13

#4.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 11-16-18

Docket 2

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Edgar Sebastian Vazquez

Represented By
Christopher J Langley

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

2:00 PM

8:18-13558 Lovert B. Hogai

Chapter 13

#5.00

CONT'D Hearing RE: Confirmation Of Chapter 13

FR: 12-12-18

Docket 20

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lovert B. Hogai

Represented By
Matthew D. Resnik

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

2:00 PM

8:18-13616 Manuel Figueroa

Chapter 13

#6.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 12-12-18

Docket 2

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Manuel Figueroa

Represented By
Andrew Moher

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

2:00 PM

8:18-13724 David Shomaker

Chapter 13

#7.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 12-12-18

Docket 20

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

David Shomaker

Represented By
Ashishkumar Patel

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

2:00 PM

8:18-13848 Carl J. Strasky, III and Cynthia D. Strasky

Chapter 13

#8.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 12-12-18

Docket 2

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Carl J. Strasky III

Represented By
Christine A Kingston

Joint Debtor(s):

Cynthia D. Strasky

Represented By
Christine A Kingston

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

2:00 PM

8:18-14054 Timothy Michael Crawley

Chapter 13

#9.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Timothy Michael Crawley

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

2:00 PM

8:18-14135 Martin Andelman and Stacey Andelman

Chapter 13

#10.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 17

Tentative Ruling:

Hearing RE: Confirmation Of Chapter 13 Plan

Party Information

Debtor(s):

Martin Andelman

Represented By
Nathan Fransen

Joint Debtor(s):

Stacey Andelman

Represented By
Nathan Fransen

Movant(s):

Martin Andelman

Represented By
Nathan Fransen

Stacey Andelman

Represented By
Nathan Fransen

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

2:00 PM

8:18-14189 Robert Matthew Coburn and Sharon Ann Young

Chapter 13

#11.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 2

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Robert Matthew Coburn

Represented By
Heather J Canning

Joint Debtor(s):

Sharon Ann Young

Represented By
Heather J Canning

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

2:00 PM

8:18-14204 Barbara Jo O'Brien

Chapter 13

#12.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Barbara Jo O'Brien

Represented By
Daniel King

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

2:00 PM

8:18-13919 Arna K. Freedman

Chapter 7

#13.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: OFF CALENDAR - CASE CONVERTED
TO CHAPTER 7 ON 11-6-18 - (Docket No. [9])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Arna K. Freedman

Represented By
James D. Hornbuckle

Trustee(s):

Thomas H Casey (TR)

Pro Se

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar

Wednesday, January 9, 2019

Hearing Room 6C

2:00 PM

8:18-13957 Daniel Ater

Chapter 13

#14.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

*** VACATED *** REASON: OFF CALENDAR - Order and Notice of
Dismissal for Failure to File Schedules, Statements, and/or Plan ENTERED
11-19-18 - (Docket No. [13])

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Daniel Ater

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

2:00 PM

8:18-14098 Ryan Bradley Witham

Chapter 13

#15.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: OFF CALENDAR - ORDER and notice of
dismissal for failure to file schedules, statements, and/or plan ENTERED 11-
28-18 - (Docket No. [9])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Ryan Bradley Witham

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

2:00 PM

8:18-14170 Dennis Michael Justiniani

Chapter 13

#16.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: OFF CALENDAR - ORDER and notice of
dismissal for failure to file schedules, statements, and/or plan ENTERED 12-
3-18 - (Docket No. [11])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Dennis Michael Justiniani

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

2:00 PM

8:18-14226 William Holguin Altamirano Jr

Chapter 13

#17.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: OFF CALENDAR - ORDER and notice of dismissal for failure to file schedules, statements, and/or plan ENTERED 12-4-18 - (Docket No. [11])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

William Holguin Altamirano Jr Pro Se

Trustee(s):

Amrane (SA) Cohen (TR) Pro Se

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar

Wednesday, January 9, 2019

Hearing Room 6C

3:00 PM

8:14-11271 Timothy John Worcester and Angela Kay Worcester

Chapter 13

#1.00

CONT'D Hearing RE: Trustee's Verified Motion To Dismiss Case Due To
Material Default Of A Plan Provision
(Motion filed 9/18/18)

FR: 10-24-18

Docket 60

*** VACATED *** REASON: OFF CALENDAR - NOTICE OF
WITHDRAWAL OF TRUSTEE'S MOTION FILED 11/16/18 - (Docket No.
[69])

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Timothy John Worcester

Represented By
Halli B Heston

Joint Debtor(s):

Angela Kay Worcester

Represented By
Halli B Heston

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

3:00 PM

8:14-11351 Andrea Dargin

Chapter 13

#2.00

Hearing RE: Trustee's Verified Motion To Dismiss Case Due To Material Default Of A Plan Provision
(Motion filed 11/28/18)

Docket 55

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF
WITHDRAWAL OF TRUSTEE'S MOTION FILED 1-3-19 - (Docket No.
[57])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Andrea Dargin

Represented By
Samer A Nahas

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

3:00 PM

8:14-12280 Steven Allen Frey

Chapter 13

#3.00

Hearing RE: Trustee's Verified Motion To Dismiss Case Due To Material Default Of A Plan Provision
(Motion filed 11/7/18)

Docket 161

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and dismiss the case.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Steven Allen Frey

Represented By
Christopher J Langley

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

3:00 PM

8:16-14780 Cimberly Gonzales

Chapter 13

#4.00

Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding Case For Failure To Make Plan Payments [11 U.S.C. 1307(c)) (Motion filed 12/6/18) (Response filed 12/20/18)

Docket 41

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF WITHDRAWAL OF TRUSTEE'S MOTION FILED 1-3-19 - (Docket No. [45])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Cimberly Gonzales

Represented By
Amanda G Billyard

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

3:00 PM

8:16-15247 April Marie Tory

Chapter 13

#5.00

Hearing RE: Motion Under Local Bankruptcy Rule 3015-1(n) And (w) To Modify Plan Or Suspend Plan Payments
(Motion filed 11/13/18)
(Set For Hearing Per Amended Notice of Hearing filed 12/4/18)

Docket 53

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will deny the motion for the reasons stated by the Chapter 13 Trustee.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

April Marie Tory

Represented By
Sunita N Sood

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

3:00 PM

8:16-15247 April Marie Tory

Chapter 13

#6.00

Hearing RE: Motion For Authority To Incur Secured Debt On Personal Property
(Motion filed 11/13/18)
(Set per Notice of Hearing filed 11/29/18)
(Amended Notice of Hearing filed 12/4/18)
(Second Amended Notice of Hearing filed 12/4/18)

Docket 55

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will deny the motion for the reasons stated by the Chapter 13 Trustee.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

April Marie Tory

Represented By
Sunita N Sood

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

3:00 PM

8:18-10930 Gerald Bennet Villaverde and Melinda Emma Sutika

Chapter 13

#7.00

Hearing RE: Motion Under LBR 3015-1(n) And (w) To Modify Plan Or Suspend Plan Payments
(Motion filed 10/31/18)
(Set per Trustee's Comments on or Ojbection filed 11/14/18)
(Notice of Hearing filed 11/14/18)

Docket 60

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will deny the motion. The Court agrees with the Chapter 13 Trustee that the Debtors' track record in making required plan payments is poor. More important, Debtors have not made a sufficient showing that they can perform under the modified plan that they propose.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Gerald Bennet Villaverde

Represented By
Christopher J Langley

Joint Debtor(s):

Melinda Emma Sutika

Represented By
Christopher J Langley

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

3:00 PM

8:18-10930 Gerald Bennet Villaverde and Melinda Emma Sutika

Chapter 13

#8.00

Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding For Failure To Make Plan Payments [11 U.S.C. 1307(c)]
(Motion filed 10/9/18)
(Opposition filed 10/24/18)

Docket 54

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and dismiss the case.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Gerald Bennet Villaverde

Represented By
Christopher J Langley

Joint Debtor(s):

Melinda Emma Sutika

Represented By
Christopher J Langley

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

3:00 PM

8:18-11714 Elizabeth Martin

Chapter 13

#9.00

Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding For Failure To Make Plan Payments [11 U.S.C. 1307(c)] (Motion filed 11/8/18) (Response filed 11/21/18) Notice of Hearing filed 11/21/18)

Docket 44

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and dismiss the case.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Elizabeth Martin

Represented By
Amanda G Billyard

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

3:00 PM

8:18-12104 William Anthony Wilson and Rebecca Lisette Koval

Chapter 13

#10.00

Hearing RE: Motion For Order Disallowing Claim:

Claim No. 6	Department Of Treasury Internal Revenue Service	\$165,232.41
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Docket 30

***** VACATED *** REASON: CONTINUED TO FEBRUARY 6, 2019 AT
3:00 P.M. PER ORDER ENTERED 1-2-19 - (Docket No. [41])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

William Anthony Wilson

Represented By
Anthony B Vigil

Joint Debtor(s):

Rebecca Lisette Koval

Represented By
Anthony B Vigil

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 9, 2019

Hearing Room 6C

3:00 PM

8:18-13760 Juana Pierda Mondragon

Chapter 13

#11.00

CONT'D Hearing RE: Motion To Vacate Order Dismissing Bankruptcy Case
(Set per Order Entered 10/31/18)

FR: 11-16-18; 12-12-18

Docket 13

Tentative Ruling:

APPEARANCES REQUIRED.

In light of the filing of the creditor matrix, the Court grant the motion and reinstate the case.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Juana Pierda Mondragon

Represented By
Bryn C Deb

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 10, 2019

Hearing Room 225

9:00 AM

6:15-14464 AVT, Inc.

Chapter 7

Adv#: 6:17-01158 Daff v. Jofemar USA, Inc.

#1.00

STATUS CONFERENCE re: Complaint by Charles W Daff against Jofemar USA, Inc.. (Charge To Estate). Chapter 7 Trustees Complaint For: 1. Avoidance Of Preferential Transfers Pursuant To 11 U.S.C. §§ 547; And 550; 2. Recovery Of Avoided Preferential Transfers Pursuant To 11 U.S.C. §§ 547 And 550 Nature of Suit: (12 (Recovery of money/property - 547 preference)),(14 (Recovery of money/property - other))

(Cont from 7/24/18)

Docket 1

***** VACATED *** REASON: Cont. to 2/21/19 @ 9:00 a.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

AVT, Inc.

Pro Se

Defendant(s):

Jofemar USA, Inc.

Represented By
Kyra E Andrassy

Plaintiff(s):

Charles W Daff

Represented By
Cathrine M Castaldi

Trustee(s):

Charles W Daff (TR)

Represented By
Cathrine M Castaldi

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 10, 2019

Hearing Room 225

9:00 AM

6:17-17328 Bradford Leon Fee

Chapter 7

Adv#: 6:18-01165 Speier v. Updike et al

#2.00

Hrg. on Motion for judgment on the pleadings for failure to state a claim upon which relief can be granted

Docket 21

Tentative Ruling:

APPEARANCES REQUIRED.

The facts in this case show that debtor Bradley Fee's parents (Maurice Fee and Joann Fee) set up a trust (the "Trust") in 1996 – over 22 years ago – for the benefit of their children (Bradley Fee and his sister Lisa Fee and brother Jeffrey Fee), as well as Joann Fee's children from a prior marriage, namely, Larry Lindenstein and Judith Updike. Maurice Fee died in 2011 and Joann Fee died in January 2014 (she had previously been determined to be incompetent in 2011).

Maurice and Joann Fee served as trustees from 1996 until 2011. Joann's incompetency apparently changed things, and Larry Lindenstein and debtor Bradley Fee began serving as co-trustees of the Trust in or about March 2011. By late 2014, a dispute had arisen between the co-trustees. Larry Lindenstein alleged that debtor Bradley Fee owed the Trust over \$900,000.

The matter went into litigation in Orange County Superior Court on March 2, 2015. The Superior Court ordered that Larry Lindenstein serve as sole interim trustee of the Trust on March 3, 2015. Mediation before a temporary state judge was ordered, and the mediation culminated in a Settlement Agreement and Mutual General Release Regarding the Fee Revocable Living Trust dated June 12, 1996 (the "Settlement Agreement"). The Settlement Agreement required Bradley Fee to pay \$50,000 to Larry Lindenstein in his capacity as the Trust's sole interim trustee within 30 days of the Settlement Agreement's effective date and an additional \$130,000 within 120 days of the effective date. The Settlement Agreement required Mr. Lindenstein to make

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 10, 2019

Hearing Room 225

9:00 AM

CONT...

Bradford Leon Fee

Chapter 7

certain distributions from the Trust res to Judith Updike, and Lisa and Jeffrey Fee. These distributions are not in any way tied to the \$180,000 paid by Bradley Fee under the Settlement Agreement. Rather, they would seem to be in the nature of terminating trust distributions of the entire Trust res, including not only the \$180,000 paid by Bradley Fee to the Trust but also the Trust's existing moneys.

In exchange, Bradley Fee obtained a release by all opposing parties of all claims against him as well as a covenant not to be sued by any of them. Bradley Fee paid \$50,000 to Larry Lindenstein in his capacity as sole interim trustee as required. He sold real estate and allegedly paid \$130,000 as follows: \$62,400 to Judith Updike, \$33,800 to Jeffrey Fee and \$33,800 to Lisa Fee.

Bradley and Christine Fee filed a joint voluntary chapter 7 petition on August 31, 2017.

On August 16, 2018, chapter 7 trustee Richard M. Speier ("Plaintiff") filed a complaint for the avoidance of allegedly preferential transfers of \$50,000 and \$130,000 against Judith Updike, Larry Lindenstein (both individually and as sole interim trustee), Jeffrey Fee and Lisa Fee ("Defendants"). Defendants now move for judgment on the pleadings (the "Motion"), arguing that despite conclusory allegations that Defendants are creditors, Plaintiff's own complaint (which attaches the Settlement Agreement as an exhibit and does not in any way challenge the accuracy of any statement in the Settlement Agreement) shows that Defendants are not creditors. Defendants also contend that the two transfers the Trustee seeks to avoid are outside the 90-day preference window and that the Trust is neither a statutory nor non-statutory insider (which would lengthen the preference period to one year, 11 U.S.C. § 547(b)(4)(B)).

Plaintiff opposes the Motion and, as a backstop, asks the Court to grant leave to amend the complaint to state fraudulent transfer avoidance claims should the Court be inclined to interpret the law in the manner Defendants advocate.

The Court grants the Motion as to all Defendants with leave to amend, dismissing

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 10, 2019

Hearing Room 225

9:00 AM

CONT... Bradford Leon Fee

Chapter 7

with prejudice the preference claims but permitting the Trustee to amend the complaint to assert fraudulent transfer claims.

There is no indication that Defendants were ever creditors of Bradley Fee. The Settlement Agreement refers to no dispute between Defendants (other than Larry Lindenstien as sole interim trustee) and Bradley Fee, mentions not a single creditor claim by any of the Defendants (again excepting Mr. Lindenstien as trustee) against Bradley Fee and, tellingly, provides for no direct payment by Bradley Fee to any of the Defendants (again excepting Mr. Lindenstien as trustee). By all indications, the only dispute was the dispute between co-trustees Bradley Fee and Larry Lindenstien in their capacity as co-trustees. To be sure, Defendants had a pony in the race in the sense that augmentation of the Trust's assets through a recovery against Bradley Fee could eventually redound to their benefit but this does not mean they were Bradley Fee's creditors. And perhaps they had rights to sue Bradley Fee for breach of trust, but there is no indication or allegation in the complaint that they were actually exercising those rights in any manner.

Even if this analysis is mistaken and the Defendants at one point were in fact creditors, those claims were extinguished by the mutual releases given in the Settlement Agreement – which took effect at the very latest at the time Bradley Fee performed his obligation to pay \$50,000 and then \$130,000 to Larry Lindenstien, trustee. In view of those releases it is clear that, as of the petition date, Defendants did not have claims against Bradley Fee. The argument that the Trustee can avoid these transfers and therefore nullify previously-effective releases is a circular argument, because it is based upon the unproven premise that the Trustee will be successful in this adversary proceeding. Moreover, there is no indication that an avoidance of the transfers, even if it were to occur, would nullify the releases.

Additionally, the Court agrees that the Trust is neither a statutory nor a non-statutory insider. That it is not a statutory insider is obvious, because a trust in which the debtor is a beneficiary is not a member of the class of insiders specified by the statute. 11 U.S.C. § 101(31). That the Trust is not a non-statutory insider is shown by the glaring absence of any affinity of interest between Bradley Fee and the Trust – these

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 10, 2019

Hearing Room 225

9:00 AM

CONT... **Bradford Leon Fee**

Chapter 7

parties were suing each other and were openly hostile, as the Settlement Agreement so vividly illustrates.

Finally, although payments made from escrow may have been made to some of the Defendants instead of to Larry Lindenstein, sole interim trustee of the Trust, that is simply a matter of form and convenience, not of substance – there being no indication that the recipients of these moneys had any direct or indirect right of payment from Bradley Fee. It would be as if A, who owes money to B, is told by B to pay the money to C (to whom B owes money or to whom B wishes to make a gift). These circumstances do not make C a creditor of A in the absence of some third- party beneficiary status. Here, third party beneficiary status is negated by numbered paragraph 17 of the Settlement Agreement.

Party Information

Debtor(s):

Bradford Leon Fee

Represented By
Suzette Douglas

Defendant(s):

Judith A Updike

Represented By
Michael G Spector

Jeffrey D Fee

Represented By
Michael G Spector

Lisa R Fee

Represented By
Michael G Spector

Larry C Lindenstein

Represented By
Donald W Sieveke

Joint Debtor(s):

Christine Diane Fee

Represented By
Suzette Douglas

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 10, 2019

Hearing Room 225

9:00 AM

CONT... Bradford Leon Fee

Chapter 7

Plaintiff(s):

Steven M Speier

Represented By
Thomas J Eastmond
Robert P Goe

Trustee(s):

Steven M Speier (TR)

Represented By
Donald Reid
Robert P Goe
Goe & Forsythe LLP

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 10, 2019

Hearing Room 225

9:00 AM

6:18-12269 Christopher Allen Hageman

Chapter 7

Adv#: 6:18-01081 Escontrias v. Hageman et al

#3.00

Hrg. on Motion to Compel responses to special interrogatories, requests for production of documents, and the deposition of defendant; request for sanctions, jointly and severally, in the amount of \$ 1,350.00 for failure to meet and confer

(Tele. appr. T. Hall Brehme, rep. Defendant, Chris & Crystal Hageman)

Docket 26

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will deny the motion without prejudice on grounds of mootness.

The matter would appear to be at least partially moot by reason of the Court order approving a stipulation to continue Crystal Hageman's deposition and extending discovery cut-off dates. Although the stipulation doesn't specifically address alleged failures to respond to interrogatories and to produce documents, the Court is inclined to give Defendants one last opportunity to comply, and sets a deadline of February 1, 2019 for full compliance.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Christopher Allen Hageman

Represented By
Roland D Tweed

Defendant(s):

Christopher Allen Hageman

Represented By
Thomas H Brehme

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 10, 2019

Hearing Room 225

9:00 AM

CONT... Christopher Allen Hageman

Chapter 7

Crystal Dee Hageman

Represented By
Thomas H Brehme

Kai Hargis

Pro Se

Joint Debtor(s):

Crystal Dee Hageman

Represented By
Roland D Tweed

Movant(s):

Pilar Escontrias

Represented By
Ada R Cordero-Sack

Plaintiff(s):

Pilar Escontrias

Represented By
Ada R Cordero-Sack

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 10, 2019

Hearing Room 225

9:00 AM

6:18-12269 Christopher Allen Hageman

Chapter 7

Adv#: 6:18-01081 Escontrias v. Hageman et al

#4.00

Hrg. on Motion for an order deeming truth of facts and genuineness of documents in request for admissions propounded on defendant Kai Hargis as admitted

Docket 27

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Christopher Allen Hageman

Represented By
Roland D Tweed

Defendant(s):

Christopher Allen Hageman

Represented By
Thomas H Brehme

Crystal Dee Hageman

Represented By
Thomas H Brehme

Kai Hargis

Pro Se

Joint Debtor(s):

Crystal Dee Hageman

Represented By
Roland D Tweed

Plaintiff(s):

Pilar Escontrias

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 10, 2019

Hearing Room 225

9:00 AM

CONT... Christopher Allen Hageman

Ada R Cordero-Sack

Chapter 7

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 10, 2019

Hearing Room 225

9:00 AM

6:18-12269 Christopher Allen Hageman

Chapter 7

Adv#: 6:18-01081 Escontrias v. Hageman et al

#5.00

Hrg. on Motion for an order deeming truth of facts and genuineness of documents in request for admissions propounded on defendant Crystal Dee Hageman as admitted; Request for sanctions; jointly and severally, in the amount of \$ 1,125.00 for failure to meet and confer

Docket 28

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion, except that it will not award sanctions.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Christopher Allen Hageman

Represented By
Roland D Tweed

Defendant(s):

Christopher Allen Hageman

Represented By
Thomas H Brehme

Crystal Dee Hageman

Represented By
Thomas H Brehme

Kai Hargis

Pro Se

Joint Debtor(s):

Crystal Dee Hageman

Represented By
Roland D Tweed

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 10, 2019

Hearing Room 225

9:00 AM

CONT... Christopher Allen Hageman

Chapter 7

Plaintiff(s):

Pilar Escontrias

Represented By
Ada R Cordero-Sack

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 10, 2019

Hearing Room 225

9:00 AM

6:18-12269 Christopher Allen Hageman

Chapter 7

Adv#: 6:18-01081 Escontrias v. Hageman et al

#6.00

Hrg. on Motion for an order deeming truth of facts and genuineness of documents in request for admissions propounded on defendant Christopher Allen Hageman as admitted; Request for sanctions, jointly and severally, in the amount of \$ 1,125.00 for failure to meet and confer

Docket 29

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion, except that it will not award sanctions.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Christopher Allen Hageman

Represented By
Roland D Tweed

Defendant(s):

Christopher Allen Hageman

Represented By
Thomas H Brehme

Crystal Dee Hageman

Represented By
Thomas H Brehme

Kai Hargis

Pro Se

Joint Debtor(s):

Crystal Dee Hageman

Represented By
Roland D Tweed

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 10, 2019

Hearing Room 225

9:00 AM

CONT... Christopher Allen Hageman

Chapter 7

Plaintiff(s):

Pilar Escontrias

Represented By
Ada R Cordero-Sack

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 10, 2019

Hearing Room 225

2:00 PM

6:16-15248 Murray Altman

Chapter 11

#1.00

Hrg. on Chapter 11 Status Conference

(Cont. from 6/7/18)

Docket 1

***** VACATED *** REASON: Sua Sponte order continuing to 1/29/19
entered on 11/28/18 - jc**

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into compliance with United States Trustee guidelines and requirements.

Next status conference: January 10, 2019 at 9:00 a.m.

The Court will continue the hearing on the U.S. Trustee's motion to dismiss to December 11, 2018 at 2:00 p.m. to allow the plan process to go forward.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, January 14, 2019

Hearing Room 6C

9:00 AM

8:18-11621 Christine K Roberts

Chapter 13

#1.00

Motion for relief from stay [Real Property]

Deutsche Bank National Trust Company, As Trustee, On Behalf Of The Holders Of The Impac Secured Assets Corp., Mortgage Pass-Through Certificates Series 2004-3, Its Assignees And/Or Successors vs. DEBTOR
(Motion filed 12/3/18)

[RE: 1109 W 21st Street, Santa Ana, CA 92706]

Docket 58

***** VACATED *** REASON: CONTINUED TO JANUARY 28, 2019 AT
9:00 A.M. PER ORDER CONTINUING HEARING ENTERED 12-19-18 -
(Docket No. [62])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Christine K Roberts

Represented By
Bruce D White

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, January 14, 2019

Hearing Room 6C

9:00 AM

8:18-12038 John J Bruno

Chapter 13

#2.00

Motion for relief from stay [Action In Non-Bankruptcy Forum]

Elizabeth Anderson vs. DEBTOR
(Motion filed 12/7/18)

**[RE: Case Name: Elizabeth Anderson vs. John Bruno]
[Docket No.: TC 028516]
[Pending In: Superior Court Of California, County Of Los Angeles,
Compton, CA]**

Docket 34

***** VACATED *** REASON: CONTINUED TO JANUARY 28, 2019 AT
9:00 A.M. PER ORDER CONTINUING HEARING ENTERED 12-19-18 -
(Docket No. [40])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

John J Bruno

Represented By
Daniel King

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, January 14, 2019

Hearing Room 6C

9:00 AM

8:18-12038 John J Bruno

Chapter 13

Adv#: 8:18-01167 Anderson v. Bruno

#3.00

CONT'D Hearing RE: Motion For Default Judgment Under LBR 7055-1
(Motion filed 11/13/18)

FR: 12-19-18

Docket 5

***** VACATED *** REASON: CONTINUED TO JANUARY 28, 2019 AT
9:00 A.M. PER ORDER CONTINUING HEARINGS ENTERED 1-2-19 -
(Docket No. [14])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

John J Bruno

Represented By
Daniel King

Defendant(s):

John Bruno

Pro Se

Plaintiff(s):

Elizabeth Anderson

Represented By
Leona R Singer

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, January 14, 2019

Hearing Room 6C

9:00 AM

8:18-12038 John J Bruno

Chapter 13

Adv#: 8:18-01167 Anderson v. Bruno

#4.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Determine
Dischargeability Of Debt
[Pursuant To 11 U.S.C. Section 523(a)(2)(A)]
(Complaint filed 9/4/18)
(Another Summons issued 9/19/18)

FR: 11-28-18; 12-5-18; 12-19-18

Docket 1

***** VACATED *** REASON: CONTINUED TO JANUARY 28, 2019 AT
9:00 A.M. PER ORDER CONTINUING HEARINGS ENTERED 1-2-19 -
(Docket No. [14])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

John J Bruno

Represented By
Daniel King

Defendant(s):

John Bruno

Pro Se

Plaintiff(s):

Elizabeth Anderson

Represented By
Leona R Singer

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, January 14, 2019

Hearing Room 6C

9:00 AM

8:18-13393 Felix Castellanos

Chapter 7

#5.00

Motion for relief from stay [Action In Non-Bankruptcy Forum]

Home Expo Financial Inc., As Trustee Of West Hampshire Trust Dated
9/12/2018
(Motion filed 12/17/18)

**[RE: Case Name: Home Expo Financial Inc. v. Castellanos]
[Docket No.: 30-2018-01030673-CL-UD-NJC]
[Pending In: Orange County Superior Court]
[RE: 1179 W. Hampshire, Anaheim, CA 92802]**

Docket 17

***** VACATED *** REASON: CONTINUED TO JANUARY 28, 2019 AT
9:00 A.M. PER ORDER CONTINUING HEARING ENTERED 12-19-18 -
(Docket No. [19])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Felix Castellanos	Pro Se
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Trustee(s):

Karen S Naylor (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, January 14, 2019

Hearing Room 6C

9:00 AM

8:18-13805 Manuel Romero

Chapter 7

#6.00

Motion for relief from stay [Action In Non-Bankruptcy Forum]

Fidel Ramirez Trejo And Leticia Ramirez vs. DEBTOR
(Motion filed 11/27/18)

**[RE: Case Name: Ramirez v. Romero Baltazar, et al.]
[Docket Number: 30-2018-00984161-CU-PA-CJC]
[Pending In: Orange County Superior Court]**

Docket 15

***** VACATED *** REASON: CONTINUED TO JANUARY 28, 2019 AT
9:00 A.M. PER ORDER CONTINUING HEARING ENTERED 12-19-18 -
(Docket No. [24])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Manuel Romero

Represented By
Lauren M Foley

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, January 14, 2019

Hearing Room 6C

9:00 AM

8:18-14426 Rafael Rangel Mendoza and Maria A Zamudio Robles

Chapter 7

#7.00

Motion for relief from stay [PERSONAL PROPERTY]

21st Mortgage Corporation vs. Debtor
(Motion filed 12/16/18)

**[RE: 2005 Goldenwest Manufactured Home]
[Model Number: GP561P71GOP20; Serial Number: PER033032CAA/CAB]
[Located At: 109 E. Balboa Lane Tustin, CA 92780]**

Docket 16

***** VACATED *** REASON: CONTINUED TO JANUARY 28, 2019 AT
9:00 A.M. PER ORDER CONTINUING HEARING ENTERED 12-19-18 -
(Docket No. [18])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Rafael Rangel Mendoza

Represented By
Richard M Moss III

Joint Debtor(s):

Maria A Zamudio Robles

Represented By
Richard M Moss III

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, January 14, 2019

Hearing Room 6C

2:00 PM

8:12-15356 George Chike Ifeora
Adv#: 8:13-01048 Flegal et al v. Ifeora

Chapter 7

#1.00

Hearing RE: Third Party Claim To Seized Or Garnished Funds; Motion For Turnover Of Funds
(Motion filed 12/11/18)

Docket 175

***** VACATED *** REASON: CONTINUED TO JANUARY 28, 2019 AT
2:00 P.M. PER ORDER CONTINUING HEARING ENTERED 12-19-18-
(Docket No. [178])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

George Chike Ifeora

Represented By
Michael R Totaro

Defendant(s):

George Chike Ifeora

Represented By
William J Smyth
Andrew Edward Smyth

Plaintiff(s):

Invest & Design, LLC

Represented By
Mark M Sharf
Harold C Klaskin

Ryan Flegal

Represented By
Mark M Sharf
Harold C Klaskin

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, January 14, 2019

Hearing Room 6C

2:00 PM

8:18-13522 Mohammad Ali Kharazmi

Chapter 11

#2.00

Hearing RE: Motion By United States Trustee To Dismiss Or Convert Case Pursuant To 11 U.S.C. Section 1112(b)
(Motion filed 11/27/18)

Docket 28

***** VACATED *** REASON: CONTINUED TO JANUARY 28, 2019 AT
2:00 P.M. PER ORDER CONTINUING HEARING ENTERED 12-19-18 -
(Docket No. [40])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Mohammad Ali Kharazmi

Represented By
Leonard Pena

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Wednesday, January 16, 2019

Hearing Room 225

2:00 PM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

#1.00

Hrg. on Confirmation of chapter 11 plan

**(To be held in Courtroom 6C, 411 West Fourth Street, Santa Ana, CA
92701)**

Docket 0

***** VACATED *** REASON: To be held on 1/31/19 @ 9:00 a.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 16, 2019

Hearing Room 6C

9:00 AM

8:14-15938 Advanced Biomedical, Inc.

Chapter 11

#1.00

CONT'D POST-EFFECTIVE STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case; And (2) Requiring Report On Status Of Chapter 11 Case (Petition filed 10/1/14)

12-10-14; 1-21-15; 3-4-15; 6-17-15; 9-16-15; 12-2-15; 1-27-16; 4-6-16; 5-4-16; 8-17-16; 12-7-16; 1-11-17; 3-8-17; 4-19-17; 5-31-17; 10-16-17; 3-28-18; 7-25-18

Docket 0

***** VACATED *** REASON: CONTINUED TO JANUARY 23, 2019 AT
9:00 A.M. PER ORDER CONTINUING STATUS CONFERENCE
ENTERED 12-19-18 - (Docket No. [612])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Advanced Biomedical, Inc.

Represented By
Asa W Markel
Dixon Gardner
Robert S Marticello
Philip E Strok

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 16, 2019

Hearing Room 6C

9:00 AM

8:16-15208 Michael Younessi

Chapter 11

Adv#: 8:17-01051 Diamond Enterprises, LTD., LP v. Younessi

#2.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint For Determination That Debt Is Non-Dischargeable Pursuant To 11 U.S.C. Sections 523(a)(2), (a)(4), (a)(6), And (a)(9)
(Complaint filed 4/10/17)
(Another Summons issued 6/8/17)
(PTC set at S/C held 9/13/17)

FR: 6-28-17; 8-30-17; 9-13-17; 3-28-18; 4-25-18; 7-25-18; 10-24-18

Docket 1

***** VACATED *** REASON: CONTINUED TO APRIL 10, 2019 AT 9:00 A.M. PER ORDER CONTINUING PRETRIAL CONFERENCE ENTERED 12-19-18 - (Docket No. [120])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Younessi

Represented By
Michael Jones
Sara Tidd

Defendant(s):

Michael Younessi

Represented By
Roger Frederickson

Plaintiff(s):

Diamond Enterprises, LTD., LP

Represented By
M Douglas Flahaut

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 16, 2019

Hearing Room 6C

9:00 AM

8:18-11574 Lisa Hernandez

Chapter 7

Adv#: 8:18-01148 Hernandez v. United States of America, by its agency Internal R

#3.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Determine
Dischargeability Of Tax Liability
(Complaint filed 7/26/18)

FR: 10-17-18

Docket 1

***** VACATED *** REASON: CONTINUED TO FEBRUARY 27, 2019 AT
9:00 A.M. PER ANOTHER SUMMONS ISSUED 12-3-18 - (Docket No. [8])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lisa Hernandez

Represented By
Bruce A Boice

Defendant(s):

United States of America, by its

Pro Se

Plaintiff(s):

Lisa Hernandez

Represented By
Bruce A Boice

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 16, 2019

Hearing Room 6C

9:00 AM

8:18-11759 Chester Davenport

Chapter 7

Adv#: 8:18-01193 Basho Technologies Holdco C, LLC et al v. Chester

#4.00

STATUS CONFERENCE Hearing RE: Complaint To Determine Dischargeability Of Debt Under 11 U.S.C. Section 523(a)(4) And Objection To Discharge Under 11 U.S.C. Sections 727(a)(2) And (a)(3) (Complaint filed 10/26/18)

Docket 1

***** VACATED *** REASON: CONTINUED TO JANUARY 23, 2019 AT 9:00 A.M. PER ORDER ENTERED 12-19-18 - (Docket No. [7])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Chester Davenport

Represented By
Michael Jay Berger

Defendant(s):

Davenport C. Chester

Pro Se

Plaintiff(s):

Basho Technologies Holdco C, LLC

Represented By
Bradley Gardner
Randye B Soref

Basho Technologies Holdco E, LLC

Represented By
Bradley Gardner
Randye B Soref

Hunoby Enterprises, LLC

Represented By
Bradley Gardner
Randye B Soref

Earl P. Galleher III

Represented By
Bradley Gardner

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 16, 2019

Hearing Room 6C

9:00 AM

CONT... Chester Davenport

Chapter 7

Basho Technologies Holdco B, LLC

Randye B Soref

Represented By
Randye B Soref
Bradley Gardner

Trustee(s):

Karen S Naylor (TR)

Represented By
Kathleen J McCarthy
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 16, 2019

Hearing Room 6C

9:00 AM

8:18-11759 Chester Davenport

Chapter 7

Adv#: 8:18-01194 Sun et al v. Davenport

#5.00

STATUS CONFERENCE Hearing RE: Complaint To Determine
Nondischargeability Of Debt
[11 U.S.C. Section 523(a)(2)]
(Complaint filed 10/26/18)

Docket 1

***** VACATED *** REASON: CONTINUED TO JANUARY 23, 2019 AT
9:00 A.M. PER ORDER CONTINUING STATUS CONFERENCE
ENTERED 12-19-18 - (Docket No. [11])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Chester Davenport

Represented By
Michael Jay Berger

Defendant(s):

Chester C. Davenport

Pro Se

Plaintiff(s):

Bianca Sun

Represented By
Charles C H Wu

Yanyu Sun

Represented By
Charles C H Wu

Trustee(s):

Karen S Naylor (TR)

Represented By
Kathleen J McCarthy
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 17, 2019

Hearing Room 225

9:00 AM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

Adv#: 6:17-01272 Fleming, Sr et al v. Doucette et al

#0.00

STATUS CONFERENCE Hearing RE: lawsuit pending in State Court to
Bankruptcy Court
(Notice of Removal filed 12/13/17)

**[RE: Superior Court Of The State Of California For The County Of
Riverside, Case No PSC1502480]**

[Case: Havasu Lakeshore Investments, LLC v. Terry L. Fleming, Sr. et al.,]

Docket 0

***** VACATED *** REASON: Continued to 1/24/19 at 9:00 am per order
entered on 12/19/18 - slh**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

Defendant(s):

Katherine Doucette

Represented By
Randall S. Waier

Havasu Landing, LLC

Represented By
Michael B Reynolds

Terry Fleming, Jr.

Represented By
Michael B Reynolds

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 17, 2019

Hearing Room 225

9:00 AM

CONT... Terry Lee Fleming, Sr

Chapter 11

Plaintiff(s):

Terry Lee Fleming Sr

Represented By
James E Till
James E Till
James E Till

Havasu Lakeshore Investments

Represented By
Martin A Eliopulos

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 17, 2019

Hearing Room 225

9:00 AM

6:16-14576 USA Sales, Inc.

Chapter 11

#0.00

Hrg. on Chapter 11 Status Conference on the Plan and Disclosure Statement

(Cont. from 10/25/18)

Docket 0

***** VACATED *** REASON: Continued to 1/24/19 at 9:00 am per order
entered on 12/19/18 - slh**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

USA Sales, Inc.

Represented By

Daren M Schlecter

Rachel S Milman Esq

A. Lavar Taylor

Lisa Nelson

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 17, 2019

Hearing Room 225

9:00 AM

6:16-14576 USA Sales, Inc.

Chapter 11

Adv#: 6:16-01302 USA Sales, Inc. v. California State Board Of Equalization

#0.00

STATUS CONFERENCE Re: Complaint to determin amount of taxes owed pursuant to Bankruptcy Code 505(A); Objection to claim of the California Board of Equalization

(Cont. from 10/25/18)

Docket 1

***** VACATED *** REASON: Cont. to 1/24/17 @ 9:00 a.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

USA Sales, Inc.

Represented By

Daren M Schlecter

Rachel S Milman Esq

A. Lavar Taylor

Defendant(s):

California State Board Of

Pro Se

Plaintiff(s):

USA Sales, Inc.

Represented By

Lisa Nelson

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 17, 2019

Hearing Room 225

9:00 AM

6:18-16636 Littlefield Physical Therapy, Inc.

Chapter 11

#0.00

Hrg. on Chapter 11 Status Conference

(Cont. from 10/25/18)

Docket 0

***** VACATED *** REASON: Continued to 1/24/19 at 9:00 am per order
entered on 12/19/18 - slh**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Littlefield Physical Therapy, Inc.

Represented By
Evan L Smith

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 17, 2019

Hearing Room 225

9:00 AM

6:17-17328 Bradford Leon Fee

Chapter 7

Adv#: 6:18-01164 Speier v. Adams

#0.00

STATUS CONFERENCE re: Complaint by Steven M Speier against Ted D Adams. (Charge To Estate). Complaint For: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Avoidance and Recovery of Intentional Fraudulent Transfer; (3) Avoidance and Recovery of Constrictive Fraudulent Transfer; (4) Recovery of Avoided Transfers Pursuant to 11 U.S.C. § 550 Nature of Suit: (12 (Recovery of money/property - 547 preference))

(Cont. from 11/15/18)

Docket 1

*** VACATED *** REASON: Continued to 1/24/19 at 9:00 am per order entered on 12/19/18 - slh

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Bradford Leon Fee

Represented By
Suzette Douglas

Defendant(s):

Ted D Adams

Pro Se

Joint Debtor(s):

Christine Diane Fee

Represented By
Suzette Douglas

Plaintiff(s):

Steven M Speier

Represented By
Thomas J Eastmond

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 17, 2019

Hearing Room 225

9:00 AM

CONT... Bradford Leon Fee

Chapter 7

Trustee(s):

Steven M Speier (TR)

Represented By
Donald Reid
Robert P Goe
Goe & Forsythe LLP

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 17, 2019

Hearing Room 225

10:00 AM

6:18-17748 Andrew Jauregui Ruvalcaba and Rosario Mendoza

Chapter 7

#0.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and Alaska USA Federal Credit Union, in the amount of \$15,409.82

Re: 2015 Chrysler 200

Docket 12

*** VACATED *** REASON: Continued to 1/24/19 at 10:00 am per order entered on 12/19/18 - slh

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Andrew Jauregui Ruvalcaba

Represented By
Norma Duenas

Joint Debtor(s):

Rosario Mendoza Ruvalcaba

Represented By
Norma Duenas

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 17, 2019

Hearing Room 225

10:00 AM

6:18-18186 Nicole Marie Kean

Chapter 7

#0.00

Hrg. on approval of Reaffirmation Agreement filed 12/13/18 Between Debtor and Hyundai Capital America, in the amount of \$ 17,263.94

Re: 2017 Kia Sportage, VIN: KNDPN3AC5H7050521

Docket 12

***** VACATED *** REASON: Reaffirmation withdrawn 12/19/18.
Amended reaffirmation filed on 12/19/18**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Nicole Marie Kean

Represented By
Andrew S Mansfield

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 22, 2019

Hearing Room 225

9:00 AM

6:17-17512 Douglas Craig Woodard

Chapter 7

#1.00

McCarthy & Holthus, LLP - movant's attorney

Motion for Relief from Stay

Finance of America Reverse LLC vs. Debtor
(Motion filed 10/18/2017)

RE: 225 Birchwood Drive, Lake Arrowhead, CA 92352

(Cont. from 12/18/18)

Docket 12

***** VACATED *** REASON: Denied as moot - jc**

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire whether its anticipated granting of the Trustee's motion of 11/27/18, relating to the same subject property (225 Birchwood Drive in Lake Arrowhead), renders this 10/18/17 motion moot.

Party Information

Debtor(s):

Douglas Craig Woodard

Pro Se

Movant(s):

Finance of America Reverse LLC,

Represented By
Nancy L Lee

Trustee(s):

Karl T Anderson (TR)

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 22, 2019

Hearing Room 225

9:00 AM

CONT...

Douglas Craig Woodard

Leonard M Shulman
Melissa Davis Lowe

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 22, 2019

Hearing Room 225

9:00 AM

6:18-17032 Henry Ordan Batac and Sally Rile Batac

Chapter 7

#2.00

Law Offices of Austin P. Nagel - movant attorney

Motion for Relief from Stay

Toyota Motor Credit Corporation vs. DEBTORS
(Motion filed 12/17/18)

Re: 2018 Toyota C-HR

(Tele. appr. Austin P. Nagel , rep. movant, Toyota Motor Credit Corp)

Docket 19

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Henry Ordan Batac

Represented By
Carey C Pickford

Joint Debtor(s):

Sally Rile Batac

Represented By
Carey C Pickford

Movant(s):

Toyota Motor Credit Corporation

Represented By
Austin P Nagel

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 22, 2019

Hearing Room 225

9:00 AM

CONT... Henry Ordan Batac and Sally Rile Batac

Chapter 7

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 22, 2019

Hearing Room 225

9:00 AM

6:18-18731 Scott Shih Lee

Chapter 7

#3.00

Hughes & Hughes, LLP - movant attorney

Motion for Relief from Stay

Cheryl Lee vs. DEBTOR

(Motion filed 12/21/18)

(Action in non-bankruptcy forum)

EH_____

(Tele. appr., Tinho Mang, rep Trustee, Robert Whitmore)

Docket 42

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Scott Shih Lee

Represented By
Ronald D Halpern

Movant(s):

Hughes & Hughes

Represented By
Sarah Davidson

Trustee(s):

Robert Whitmore (TR)

Represented By
D Edward Hays

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 22, 2019

Hearing Room 225

9:00 AM

6:18-19873 Yuri Furlong

Chapter 7

#4.00

Tiffany & Bosco - movant attorney

Motion for Relief from Stay

PennyMac Loan Services, LLC vs. Debtor
(Motion filed 12/20/18)

Re: 2835 N. Orange Ave., Rialto, CA 92377

(Tele. appr. Megan E. Lees, rep, movant, PennyMAC Loan Services, LLC)

Docket 7

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(2) only.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Yuri Furlong

Pro Se

Movant(s):

PennyMac Loan Services, LLC

Represented By
Robert P Zahradka

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 22, 2019

Hearing Room 225

9:00 AM

6:18-20044 Veronica Joya

Chapter 7

#5.00

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

Motion for Relief from Stay

Cab West, LLC vs. DEBTOR
(Motion filed 12/14/18)

Re: 2017 Ford Explorer, VIN: 1FM5K7D81HGD04266

Docket 7

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Veronica Joya

Represented By
Neil R Hedtke

Movant(s):

Cab West, LLC

Represented By
Jennifer H Wang

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 22, 2019

Hearing Room 225

9:00 AM

6:18-20151 Veronica Angulo

Chapter 7

#6.00

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

Motion for Relief from Stay

TD Auto Finance, LLC vs. DEBTOR
(Motion filed 12/14/18)

Re: 2018 Chrysler 300, VIN: 2C3CCAAG0JH264519

Docket 12

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Veronica Angulo

Represented By
Christopher Hewitt

Movant(s):

TD Auto Finance LLC

Represented By
Jennifer H Wang

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 22, 2019

Hearing Room 225

2:00 PM

6:17-18524 Amina F Khan

Chapter 7

#1.00

Hrg. on trustee's final report; applications for compensation

Docket 45

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant and allow:

Trustee's fees: \$3,280.00

Trustee's expenses: \$100.10

Hahn Fife fees: \$1,000.00

The Court will approve on a final basis the \$5,000 previously paid to Ringstad & Sanders LLP.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Amina F Khan

Pro Se

Trustee(s):

Arturo Cisneros (TR)

Represented By
Karen S. Naylor

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 22, 2019

Hearing Room 225

2:00 PM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

#2.00

Hrg. on Debtor's Motion filed 12/10/18 to Extend Periods Within Which Debtor has the Exclusive Right to Propose a Chapter 11 Plan and to Solicit Acceptances Thereto

(Tele. appr. Martin A. Eliopoulos, Creditor, Havasu)

Docket 243

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will extend the exclusivity period for filing a plan to February 15, 2019 and the period for confirming a plan to March 15, 2019. The latter extension is warranted because the Court's February calendar is limited due to the Court's obligation to the annual Court conference (February 13-17) and a Ninth Circuit Space And Security Committee meeting in San Diego (February 19-20).

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

Movant(s):

Terry Lee Fleming Sr

Represented By
James E Till

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 22, 2019

Hearing Room 225

2:00 PM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

#3.00

Hrg on Motion for Adequate Protection; (2) Section 507(b) Superpriority
Administrative Expense Claim

Docket 253

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will deny the motion for the reasons set forth in Debtor's opposition.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

Movant(s):

Havasu Lakeshore Investments

Represented By
Martin A Eliopoulos

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 22, 2019

Hearing Room 225

2:00 PM

6:17-20128 Jose Luis Villarreal

Chapter 7

#4.00

Hrg. on trustee's final report; applications for compensation

Docket 0

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant and allow:

Trustee's fees: \$1,232.82

Trustee's expenses: \$117.36

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Jose Luis Villarreal

Represented By
Francis Guilardi

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Wednesday, January 23, 2019

Hearing Room 225

2:00 PM

6:16-15248 Murray Altman

Chapter 11

#3.00

Hrg. on Third Plan and Disclosure Statement

Docket 281

***** VACATED *** REASON: Cont. to 3/12/19 @ 2:00 p.m. by order
signed 1/22/19 - jc**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES NOT REQUIRED.

In light of the partial government shutdown, the Court will continue this matter to March 12, 2019 at 2:00 p.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 23, 2019

Hearing Room 6C

9:00 AM

8:14-15938 Advanced Biomedical, Inc.

Chapter 11

#1.00

CONT'D POST-EFFECTIVE STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case; And (2) Requiring Report On Status Of Chapter 11 Case (Petition filed 10/1/14)

12-10-14; 1-21-15; 3-4-15; 6-17-15; 9-16-15; 12-2-15; 1-27-16; 4-6-16; 5-4-16;
8-17-16; 12-7-16; 1-11-17; 3-8-17; 4-19-17; 5-31-17; 10-16-17; 3-28-18;
7-25-18; 1-16-18

Docket 0

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into the reorganized Debtor's compliance with the terms of the plan.

Next status conference: to be determined

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Advanced Biomedical, Inc.

Represented By
Asa W Markel
Dixon Gardner
Robert S Marticello
Philip E Strok

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 23, 2019

Hearing Room 6C

9:00 AM

8:15-11423 Leonard Newman

Chapter 7

Adv#: 8:16-01261 Farmers & Merchants Bank Of Long Beach v. Newman et al

#2.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint To Determine
Dischargeability Of Debt
[11 U.S.C. Sections 523(a)(2)(A) and 523(a)(4)]
(Complaint filed 12/14/16)
(PTC set at S/C held 2/8/17)

FR: 2-8-17; 10-18-17; 2-28-18; 12-12-18

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire whether the case settled at mediation and, if so, will set a deadline of February 28, 2019 for filing final settlement documents.

Next status conference: March 13, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Leonard Newman

Represented By
Darvy M Cohan

Defendant(s):

Leonard Newman

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 23, 2019

Hearing Room 6C

9:00 AM

CONT... Leonard Newman

Chapter 7

Chrisy Anne Newman

Pro Se

Joint Debtor(s):

Chrisy Anne Newman

Represented By
Darvy M Cohan

Plaintiff(s):

Farmers & Merchants Bank Of Long

Represented By
Ronald Appel

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 23, 2019

Hearing Room 6C

9:00 AM

8:16-10045 C & W Murphy and Associates, Inc.

Chapter 7

Adv#: 8:18-01002 Kosmala v. Savannah Corp. et al

#3.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Avoidance Of Fraudulent Transfers (11 U.S.C. Section 548, And/Or Section 544); Avoidance Of Preferential Transfers (11 U.S.C. Section 547); And Conversion (Complaint filed 1/5/18)
(Another Summons issued 3/8/18)

FR: 3-28-18; 5-30-18; 12-12-18

Docket 1

***** VACATED *** REASON: CONTINUED TO JULY 17, 2019 AT 9:00 A.M. PER ORDER APPROVING STIPULATION RE CONTINUANCE OF STATUS CONFERENCE ENTERED 11-30-18 - (Docket No. [21])**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

C & W Murphy and Associates, Inc.	Represented By D Edward Hays
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Defendant(s):

Savannah Corp.	Pro Se
The Olivia Group	Pro Se
Reagan Industries, Inc.	Pro Se
William J Murphy and Cheryl Lynn	Pro Se
Cristen Durham	Pro Se
Jacquelyn Murphy Romero	Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 23, 2019

Hearing Room 6C

9:00 AM

8:16-10045 C & W Murphy and Associates, Inc.

Chapter 7

Adv#: 8:18-01003 Kosmala v. Infinity Builders, Inc. et al

#4.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Avoidance Of Fraudulent Transfers (11 U.S.C. Section 548, And/Or Section 544) And/Or Preferential Transfers (11 U.S.C. Section 547)
(Complaint filed 1/5/18)
(Another Summons issued 3/8/18)

FR: 3-8-18; 5-30-18; 7-25-18; 12-12-18

Docket 1

***** VACATED *** REASON: CONTINUED TO JULY 17, 2019 AT 9:00
A.M. PER ORDER CONTINUING STATUS CONFERENCE ENTERED 1-
22-19 - (DOCKET NO. [21])**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

C & W Murphy and Associates, Inc.	Represented By D Edward Hays
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Defendant(s):

Infinity Builders, Inc.	Pro Se
Ashley N. Belthius	Pro Se

Plaintiff(s):

Weneta M.A. Kosmala	Represented By Erin P Moriarty
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 23, 2019

Hearing Room 6C

9:00 AM

CONT... C & W Murphy and Associates, Inc.

Chapter 7

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Erin P Moriarty

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 23, 2019

Hearing Room 6C

9:00 AM

8:17-11749 Dean Lavar Corbin and Lianne Corbin

Chapter 11

#5.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 5/2/17)

FR: 7-5-17; 11-15-17; 3-7-18; 6-13-18; 10-24-18; 12-12-18

Docket 0

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into Debtors' compliance with the terms of the plan.

Next status conference: to be determined.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Dean Lavar Corbin

Represented By
Michael Jones

Joint Debtor(s):

Lianne Corbin

Represented By
Michael Jones

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 23, 2019

Hearing Room 6C

9:00 AM

8:17-14089 Mohdsameer Aljanedi Dental Corporation

Chapter 11

#6.00

Hearing RE: Motion For Order Confirming Debtor's First Amended Chapter 11 Plan Of Reorganization With Ballot Summary
(Confirmation hearing set at D.S. hearing held 10/24/18)
(Motion filed 12/3/18)

Docket 182

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will confirm the First Amended Plan of Reorganization.

Next status conference: April 17, 2019 at 9:00 a.m.

DEBTOR TO LODGE (1) ORDER CONFIRMING FIRST AMENDED PLAN OF REORGANIZATION AND (2) FINDINGS OF FACT AND CONCLUSIONS OF LAW, ON OR BEFORE FEBRUARY 2, 2019.

Party Information

Debtor(s):

Mohdsameer Aljanedi Dental

Represented By

Andy C Warshaw

Richard L. Sturdevant

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 23, 2019

Hearing Room 6C

9:00 AM

8:17-14089 Mohdsameer Aljanedi Dental Corporation

Chapter 11

#7.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 10/15/17)

FR: 12-20-17; 3-7-18; 5-30-18; 9-12-18; 10-24-18 at 9:00 a.m.; 10-24-18

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into the Debtor's compliance with U.S. Trustee guidelines and requirements.

Next Status Conference: to be determined.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Mohdsameer Aljanedi Dental

Represented By

Andy C Warshaw

Richard L. Sturdevant

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 23, 2019

Hearing Room 6C

9:00 AM

8:18-10203 Phillip Barry Greer

Chapter 7

Adv#: 8:18-01069 Marshack v. Biden

#8.00

STATUS CONFERENCE Hearing RE: Chapter 7 Trustee's Complaint For:
(1) Avoidance And Recovery Of Fraudulent Transfer;
(2) Constructive Trust;
(3) Declaratory Relief;
(4) Turnover Of Estate Property; And
(5) Authorization To Sell Entirety Of Real Property
Regarding Real Property Located At 19 Bridgeport Road, Newport Coast,
California
(Complaint filed 4/16/18)

FR: 7-11-18

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER GRANTING
MOTION TO DISMISS COMPLAINT WITH LEAVE TO AMEND
ENTERED 11-26-18 - (Docket No. [24])**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Phillip Barry Greer

Pro Se

Defendant(s):

Arlene C Biden

Pro Se

Plaintiff(s):

Richard A Marshack

Represented By
Ryan D ODea

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 23, 2019

Hearing Room 6C

9:00 AM

CONT... Phillip Barry Greer

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 23, 2019

Hearing Room 6C

9:00 AM

8:18-10203 Phillip Barry Greer

Chapter 7

Adv#: 8:18-01069 Marshack et al v. Biden

#9.00

CONT'D Hearing RE: Motion Of Plaintiff Chriss W. Street For Order Consolidating Adversary Proceedings For All Purposes, Including Trial (Motion filed 10/25/18)

[RE: Case 8:18-ap-01069-MW with 8:18-ap-01075-MW]

FR: 12-19-18

Docket 20

***** VACATED *** REASON: CONTINUED TO FEBRUARY 20, 2019 AT 9:00 A.M. PER ORDER ENTERED 1-22-19 - (DOCKET NO. [35])**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Phillip Barry Greer

Pro Se

Defendant(s):

Arlene C Biden

Represented By
Phillip Greer

Plaintiff(s):

Richard A Marshack

Represented By
Ryan D ODea

Chriss W. Street

Represented By
Timothy C Aires

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 23, 2019

Hearing Room 6C

9:00 AM

CONT... Phillip Barry Greer

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Represented By
James C Bastian Jr
Ryan D ODea

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 23, 2019

Hearing Room 6C

9:00 AM

8:18-10203 Phillip Barry Greer

Chapter 7

Adv#: 8:18-01069 Marshack et al v. Biden

#10.00

STATUS CONFERENCE Hearing RE: Chapter 7 Trustee's First Amended Complaint For:

(1) Avoidance And Recovery Of Fraudulent Transfer;

(2) Constructive Trust;

(3) Declaratory Relief;

(4) Turnover Of Estate Property; And

(5) Authorization To Sell Entirety Of Real Property

Regarding Real Property Located At 19 Bridgeport Road, Newport Coast, California

(First Amended Complaint filed 12/14/18)

Docket 27

***** VACATED *** REASON: CONTINUED TO FEBRUARY 20, 2019 AT
9:00 A.M. PER ORDER CONTINUING STATUS CONFERENCE
ENTERED 1-22-19 - (DOCKET NO. [35])**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Phillip Barry Greer

Pro Se

Defendant(s):

Arlene C Biden

Represented By
Phillip Greer

Plaintiff(s):

Richard A Marshack

Represented By
Ryan D ODea

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 23, 2019

Hearing Room 6C

9:00 AM

CONT... Phillip Barry Greer
Chriss W. Street

Represented By
Timothy C Aires

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Represented By
James C Bastian Jr
Ryan D ODea

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 23, 2019

Hearing Room 6C

9:00 AM

8:18-10203 Phillip Barry Greer

Chapter 7

Adv#: 8:18-01075 Street v. Greer et al

#11.00

CONT'D STATUS CONFERENCE Hearing RE: First Amended Complaint For:
(1) Determination Of Non-Dischargeability Of Debt;
(2) Determination Of Non-Dischargeability Of Debt;
(3) Determination Of Non-Dischargeability Of Debt;
(4) Declaratory Relief RE: Determination Of Validity, Priority Or Extent Of
Interest In Real Property and Personal Property
(Complaint filed 4/26/18) (First Amended Complaint filed 5/30/18)
(Another Summons Issued 5/31/18)

[10-10-18 - Arlene Greer aka Arlene Biden ONLY dismissed -docket no. [47]

FR: 7-25-18; 8-29-18; 10-24-18; 11-14-18

Docket 8

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will order this matter into mediation and issue the following scheduling order:

1. All discovery shall close on August 31, 2019.
2. All discovery motions shall be heard before September 30, 2019.
3. All pretrial motions shall be heard before October 31, 2019.
4. Pretrial conference is set for November 13, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 23, 2019

Hearing Room 6C

9:00 AM

CONT... Phillip Barry Greer

Chapter 7

Party Information

Debtor(s):

Phillip Barry Greer Pro Se

Defendant(s):

Phillip Barry Greer Pro Se

Arlene C. Greer Pro Se

Plaintiff(s):

Chriss W. Street Represented By
Timothy C Aires

Trustee(s):

Richard A Marshack (TR) Represented By
James C Bastian Jr

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 23, 2019

Hearing Room 6C

9:00 AM

8:18-10203 Phillip Barry Greer

Chapter 7

Adv#: 8:18-01075 Street v. Greer et al

#12.00

CONT'D Hearing RE: Motion Of Plaintiff For Relief From Order Granting Motion Of Defendant Arlene C. Greer To Dismiss First Amended Complaint And Resetting Hearing Thereon (Motion filed 10/11/18)

FR: 11-14-18

Docket 48

***** VACATED *** REASON: OFF CALENDAR - MOOT**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Phillip Barry Greer

Pro Se

Defendant(s):

Phillip Barry Greer

Represented By
Phillip Greer

Richard A. Marshack

Represented By
Ryan D ODea

Plaintiff(s):

Chriss W. Street

Represented By
Timothy C Aires

Trustee(s):

Richard A Marshack (TR)

Represented By
James C Bastian Jr

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 23, 2019

Hearing Room 6C

9:00 AM

CONT...

Phillip Barry Greer

Ryan D ODea

Chapter 7

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 23, 2019

Hearing Room 6C

9:00 AM

8:18-10779 Anthony Jerome Maxey

Chapter 7

Adv#: 8:18-01140 LQ Management LLC et al v. Maxey et al

#13.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Fraud,
Imposition Of Stay; Property Injunction
(Notice of Removal filed 7/17/18)
(Order for Status Conference Entered 7/18/18)

FR: 9-19-18; 11-14-18

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire whether Plaintiff intends to file a motion to remand this unlawful detainer case to the state court.

Party Information

Debtor(s):

Anthony Jerome Maxey Pro Se

Defendant(s):

Anthony Maxey Pro Se

Kimberly Turner Pro Se

Plaintiff(s):

LQ Management LLC Represented By
Artin Avetisove

LeClairRyan LLP Represented By
Artin Avetisove

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 23, 2019

Hearing Room 6C

9:00 AM

CONT... Anthony Jerome Maxey

Chapter 7

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 23, 2019

Hearing Room 6C

9:00 AM

8:18-11759 Chester Davenport

Chapter 7

Adv#: 8:18-01193 Basho Technologies Holdco C, LLC et al v. Chester

#14.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Determine Dischargeability Of Debt Under 11 U.S.C. Section 523(a)(4) And Objection To Discharge Under 11 U.S.C. Sections 727(a)(2) And (a)(3) (Complaint filed 10/26/18)

FR: 1-16-19

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will issue a scheduling order:

1. All discovery shall close on August 31, 2019.
2. All discovery motions shall be heard before September 30, 2019.
3. All pretrial motions shall be heard before October 31, 2019.
4. Pretrial conference is set for November 6, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Chester Davenport

Represented By
Michael Jay Berger

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 23, 2019

Hearing Room 6C

9:00 AM

CONT... Chester Davenport

Chapter 7

Defendant(s):

Davenport C. Chester

Pro Se

Plaintiff(s):

Basho Technologies Holdco C, LLC

Represented By
Bradley Gardner
Randye B Soref

Basho Technologies Holdco E, LLC

Represented By
Bradley Gardner
Randye B Soref

Hunoby Enterprises, LLC

Represented By
Bradley Gardner
Randye B Soref

Earl P. Galleher III

Represented By
Bradley Gardner
Randye B Soref

Basho Technologies Holdco B, LLC

Represented By
Randye B Soref
Bradley Gardner

Trustee(s):

Karen S Naylor (TR)

Represented By
Kathleen J McCarthy
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 23, 2019

Hearing Room 6C

9:00 AM

8:18-11759 Chester Davenport

Chapter 7

Adv#: 8:18-01194 Sun et al v. Davenport

#15.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Determine
Nondischargeability Of Debt
[11 U.S.C. Section 523(a)(2)]
(Complaint filed 10/26/18)

FR: 1-16-19

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will set a March 31, 2019 deadline for hearing a motion for entry of default judgment.

Next status conference: April 17, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Chester Davenport

Represented By
Michael Jay Berger

Defendant(s):

Chester C. Davenport

Pro Se

Plaintiff(s):

Bianca Sun

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 23, 2019

Hearing Room 6C

9:00 AM

CONT... Chester Davenport

Chapter 7

Yanyu Sun

Charles C H Wu

Represented By
Charles C H Wu

Trustee(s):

Karen S Naylor (TR)

Represented By
Kathleen J McCarthy
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 23, 2019

Hearing Room 6C

9:00 AM

8:18-13522 Mohammad Ali Kharazmi

Chapter 11

#16.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 9/24/18)

FR: 12-12-18

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into the Debtor's compliance with U.S. Trustee guidelines and requirements.

Next status conference: to be determined.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Mohammad Ali Kharazmi

Represented By
Leonard Pena

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 23, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01012 Official Committee of Unsecured Creditors of Freed v. Kushner et al

#17.00

Hearing RE: Plaintiff Official Committee Of Unsecured Creditors Of Freedom Communications, Inc., et al.'s Motion To Extend Pre-Trial Schedule
(Motion filed 1/11/19)
(OST Signed 1/11/19)

[Tele. appr., Matthew T. Furton, repr., Richard Covelli, JTR LLC, et al.]

[Tele. appr., Elissa A. Wagner, repr., Official Committee of Unsecured Creditors]

Docket 111

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and extend deadlines as requested by the OCUC on pages 19 and 20 of 39 in the Motion.

The uncertainties created by the partial government shutdown and other factors cited by the OCUC deter the Court from establishing a discovery schedule contingent on PBGC action.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 23, 2019

Hearing Room 6C

9:00 AM

CONT... Freedom Communications, Inc.

Chapter 11

Christopher J Green
Caroline Djang
Scott D Fink
Reed M Mercado

Defendant(s):

Aaron Kushner

Represented By
Steven B Sacks

Eric Spitz

Represented By
Christopher B Queally
James M Sabovich

Richard J. Covelli

Represented By
Robert S Marticello
Matthew T Furton

Traci M. Christian

Represented By
Matthew T Furton
Brandon J Witkow

C & C Marketing LLC

Represented By
Robert S Marticello
Matthew T Furton

C2 Advisors, LLC

Represented By
Robert S Marticello
Matthew T Furton

Etaros Actuarial Services LLC

Represented By
Matthew T Furton
Brandon J Witkow

JTR, LLC

Represented By
Robert S Marticello
Matthew T Furton

Plaintiff(s):

Official Committee of Unsecured

Represented By
Alan J Kornfeld

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 23, 2019

Hearing Room 6C

9:00 AM

CONT... Freedom Communications, Inc.

Elissa A Wagner

Chapter 11

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 23, 2019

Hearing Room 6C

2:00 PM

8:16-11202 QF Liquidation Inc.

Chapter 11

#1.00

Hearing RE: Motion For Entry Of An Order (I) For Approving The Disclosure Statement; (II) Establishing Voting Record Date; (III) Approving Solicitation Packages And Distribution Procedures; (IV) Approving Form Of Ballots And Establishing Procedures For Voting On Plan Of Liquidation; (V) Approving Forms Of Notices To Non-Voting Classes Under Plan; (VI) Establishing Voting Deadline To Accept Or Reject Plan; (VII) Approving Procedures For Vote Tabulations; And (VIII) Establishing Confirmation Hearing Date And Notice And Objection Procedures Thereof
(Motion filed 12/5/18)

Docket 606

***** VACATED *** REASON: CONTINUED TO FEBRUARY 27, 2019 AT
2:00 P.M. PER ORDER CONTINUING HEARINGS ENTERED 1-22-19 -
(DOCKET NO. [628])**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

QF Liquidation Inc.

Represented By
Marshall J Hogan
Victor A Vilaplana

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar

Wednesday, January 23, 2019

Hearing Room 6C

2:00 PM

8:16-11202 QF Liquidation Inc.

Chapter 11

#2.00

CONT'D Hearing RE: Debtor's Motion For An Entry Of An Order Barring, Estopping, Enjoining, Discharging And Deeming Waived The Claim Of The Internal Revenue Service For Certain Penalties Or, In The Alternative, Determining Penalties Should Be Zero
(Motion filed 12/20/18)

FR: 12/28/18

Docket 611

*** VACATED *** REASON: CONTINUED TO FEBRUARY 27, 2019 AT 2:00 P.M. PER ORDER CONTINUING HEARINGS ENTERED 1-22-19 - (DOCKET NO. [628])

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

QF Liquidation Inc.

Represented By
Marshall J Hogan
Victor A Vilaplana

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 24, 2019

Hearing Room 225

9:00 AM

6:

Chapter 0

Adv#: 6:18-01236 Fleming, Sr v. Havasu Lakeshore Investments

#1.00

Hrg of Judgment Lien Creditor, Havasu Lakeshore Investments Inc Motion to Dismiss Plaintiff's Complaint Pursuant to Rule 12(b)(6)

Docket 4

***** VACATED *** REASON: Cont. to 3/7/19 @ 9:00 a.m. by order signed
on 1/24/19 - jc**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Defendant(s):

Havasu Lakeshore Investments

Represented By
Martin A Eliopulos

Plaintiff(s):

Terry Lee Fleming Sr

Represented By
James E Till

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 24, 2019

Hearing Room 225

9:00 AM

6:16-13150 Paul Gregory Katona

Chapter 7

Adv#: 6:17-01216 Napoli v. Katona et al

#2.00

Pre-Trial Conference RE: Complaint by Royce Napoli against Paul Gregory Katona, Gail Marie Katona. (d),(e)),(72 (Injunctive relief - other))

(Cont. from 11/8/18)

Docket 1

*** VACATED *** REASON: Cont. to 4/11/19 @ 9:00 a.m. - jc

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Paul Gregory Katona

Represented By
Douglas A Plazak

Defendant(s):

Paul Gregory Katona

Represented By
Douglas A Plazak

Gail Marie Katona

Represented By
Douglas A Plazak

Joint Debtor(s):

Gail Marie Katona

Represented By
Douglas A Plazak

Plaintiff(s):

Royce Napoli

Represented By
Noah K McCall

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 24, 2019

Hearing Room 225

9:00 AM

CONT... Paul Gregory Katona

Chapter 7

Trustee(s):

John P Pringle (TR)

Represented By
Lynda T Bui
Rika Kido
Brianna L Frazier

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 24, 2019

Hearing Room 225

9:00 AM

6:16-14576 USA Sales, Inc.

Chapter 11

#3.00

Hrg. on Chapter 11 Status Conference on the Plan and Disclosure Statement

(Cont. from 1/17/19)

Docket 0

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into (1) the Debtor's compliance with U.S. Trustee guidelines and requirements, and (2) the status of mediation.

Next status conference: to be determined.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

USA Sales, Inc.

Represented By

Daren M Schlecter

Rachel S Milman Esq

A. Lavar Taylor

Lisa Nelson

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 24, 2019

Hearing Room 225

9:00 AM

6:16-14576 USA Sales, Inc.

Chapter 11

Adv#: 6:16-01302 USA Sales, Inc. v. California State Board Of Equalization

#4.00

STATUS CONFERENCE Re: Complaint to determin amount of taxes owed pursuant to Bankruptcy Code 505(A); Objection to claim of the California Board of Equalization

(Cont. from 1/17/19)

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into the status of mediation between the Debtor and the CDTFA.

Next status conference: to be determined.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

USA Sales, Inc.

Represented By

Daren M Schlecter

Rachel S Milman Esq

A. Lavar Taylor

Defendant(s):

California State Board Of

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 24, 2019

Hearing Room 225

9:00 AM

CONT... USA Sales, Inc.

Chapter 11

Plaintiff(s):

USA Sales, Inc.

Represented By
Lisa Nelson

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 24, 2019

Hearing Room 225

9:00 AM

6:17-17328 Bradford Leon Fee

Chapter 7

Adv#: 6:18-01164 Speier v. Adams

#5.00

STATUS CONFERENCE re: Complaint by Steven M Speier against Ted D Adams. (Charge To Estate). Complaint For: (1) Avoidance of Preferential Transfers Pursuant to 11 U.S.C. § 547; (2) Avoidance and Recovery of Intentional Fraudulent Transfer; (3) Avoidance and Recovery of Constrictive Fraudulent Transfer; (4) Recovery of Avoided Transfers Pursuant to 11 U.S.C. § 550 Nature of Suit: (12 (Recovery of money/property - 547 preference))

(Cont. from 1/17/19)

Docket 1

*** VACATED *** REASON: Case Dismissed 1/4/19 - jc

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Bradford Leon Fee

Represented By
Suzette Douglas

Defendant(s):

Ted D Adams

Pro Se

Joint Debtor(s):

Christine Diane Fee

Represented By
Suzette Douglas

Plaintiff(s):

Steven M Speier

Represented By
Thomas J Eastmond

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 24, 2019

Hearing Room 225

9:00 AM

CONT... Bradford Leon Fee

Chapter 7

Trustee(s):

Steven M Speier (TR)

Represented By
Donald Reid
Robert P Goe
Goe & Forsythe LLP

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 24, 2019

Hearing Room 225

9:00 AM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

Adv#: 6:17-01272 Fleming, Sr et al v. Doucette et al

#6.00

STATUS CONFERENCE Hearing RE: lawsuit pending in State Court to
Bankruptcy Court
(Notice of Removal filed 12/13/17)

**[RE: Superior Court Of The State Of California For The County Of
Riverside, Case No PSC1502480]**

[Case: Havasu Lakeshore Investments, LLC v. Terry L. Fleming, Sr. et al.,]

(Cont from 1/17/19)

(Tele. appr. Martin Eliopulos, rep. creditor, Havasu Lakeshore Investments)

Docket 0

***** VACATED *** REASON: Cont. to 3/7/19 @ 9:00 a.m. by order signed
on 1/24/19 - jc**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

Defendant(s):

Katherine Doucette

Represented By
Randall S. Waier

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 24, 2019

Hearing Room 225

9:00 AM

CONT... **Terry Lee Fleming, Sr**
Havasu Landing, LLC

Chapter 11

Represented By
Michael B Reynolds

Terry Fleming, Jr.

Represented By
Michael B Reynolds

Plaintiff(s):

Terry Lee Fleming Sr

Represented By
James E Till
James E Till
James E Till

Havasu Lakeshore Investments

Represented By
Martin A Eliopulos

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 24, 2019

Hearing Room 225

9:00 AM

6:17-20442 Timothy David Murphy

Chapter 7

Adv#: 6:18-01218 Wells Fargo Bank, N.A. v. Murphy et al

#7.00

STATUS CONFERENCE re: Complaint in Interpleader

(Tele. appr. Donald Cram, rep. Plaintiff, Wells Fargo)

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will issue a scheduling order:

1. All discovery shall close on June 30, 2019.
2. All discovery motions shall be heard before July 31, 2019.
3. All pretrial motions shall be heard before September 30, 2019.
4. Pretrial conference is set for October 3, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Timothy David Murphy

Pro Se

Defendant(s):

Timothy David Murphy

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 24, 2019

Hearing Room 225

9:00 AM

CONT... Timothy David Murphy

Chapter 7

Lynda T. Bui Pro Se

Patrick Keith Lafferty Pro Se

Mary Jane Lafferty Pro Se

Plaintiff(s):

Wells Fargo Bank, N.A.

Represented By
Bernard J Kornberg
Donald H Cram III
Jan T. Chilton

Trustee(s):

Lynda T. Bui (TR)

Represented By
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 24, 2019

Hearing Room 225

9:00 AM

6:17-20442 Timothy David Murphy
Adv#: 6:18-01071 Murphy v. Murphy

Chapter 7

#8.00

Hrg. on Plaintiff's motion and joint stipulation regarding plaintiff's motion to compel response to interrogatories, production of documents and to extend the discovery cutoff date

Docket 56

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will deny the motion without prejudice on the ground that the motion is not in the proper form. Rather than explaining why some of the requested relief is warranted, the motion merely attaches a proposed joint stipulation that the Debtor refused to sign and expects this Court to glean movant's arguments from that. Information in the reply is not an adequate substitute curing these deficiencies in the motion.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Timothy David Murphy

Represented By
Timothy D Murphy

Defendant(s):

Timothy David Murphy

Represented By
Timothy D Murphy

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 24, 2019

Hearing Room 225

9:00 AM

CONT... Timothy David Murphy

Chapter 7

Plaintiff(s):

Mark M. Murphy

Represented By
Larry D Webb

Trustee(s):

Lynda T. Bui (TR)

Represented By
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 24, 2019

Hearing Room 225

9:00 AM

6:18-12269 Christopher Allen Hageman

Chapter 7

Adv#: 6:18-01081 Escontrias v. Hageman et al

#9.00

PRE-TRIAL Conference re Complaint to Object to Debtors Discharge and Determine NonDischargeability of Debt under Code Section 523 by Pilar Escontrias against Christopher Allen Hageman, Crystal Dee Hageman, Kai Hargis. fraud as fiduciary, embezzlement, larceny)),(41 (Objection / revocation of discharge - 727(c),(d),(e)

Docket 1

*** VACATED *** REASON: Cont. to 4/18/19 - jc

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Christopher Allen Hageman

Represented By
Roland D Tweed

Defendant(s):

Christopher Allen Hageman

Pro Se

Crystal Dee Hageman

Pro Se

Kai Hargis

Pro Se

Joint Debtor(s):

Crystal Dee Hageman

Represented By
Roland D Tweed

Plaintiff(s):

Pilar Escontrias

Represented By
Ada R Cordero-Sack

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 24, 2019

Hearing Room 225

9:00 AM

CONT... Christopher Allen Hageman

Chapter 7

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 24, 2019

Hearing Room 225

9:00 AM

6:18-16636 Littlefield Physical Therapy, Inc.

Chapter 11

#10.00

Hrg. on Chapter 11 Status Conference

(Cont. from 1/17/19)

(Tele. appr. George Blackmar, rep. creditor, Vail Ranch Plaza)

Docket 0

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into compliance with U.S. Trustee guidelines and requirements.

Next status conference: to be determined.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Littlefield Physical Therapy, Inc.

Represented By
Evan L Smith

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 24, 2019

Hearing Room 225

9:00 AM

6:18-17439 Robert Mansour Hamzey, Jr.

Chapter 7

Adv#: 6:18-01221 Hardt, Jr v. Hamzey, Jr. et al

#11.00

STATS CONFERENCE re complaint for recovery of money/property pursuant to 11 U.S.C. Section 548 and Nondischargeability of debt 1 U.S.C. Section 523(A)(4)

Docket 1

***** VACATED *** REASON: Cont. to 3/14/19 @ 9:00 a.m. - jc**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Robert Mansour Hamzey Jr.

Represented By
Daniel C Sever

Defendant(s):

Robert Mansour Hamzey Jr.

Pro Se

Marie Ann Hamzey

Pro Se

Joint Debtor(s):

Marie Ann Hamzey

Represented By
Daniel C Sever

Plaintiff(s):

William Joseph Hardt Jr

Pro Se

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 24, 2019

Hearing Room 225

9:00 AM

6:18-17439 Robert Mansour Hamzey, Jr.

Chapter 7

Adv#: 6:18-01221 Hardt, Jr v. Hamzey, Jr. et al

#12.00

Hrg. on Defendants' Motion filed 12/10/18 to Dismiss Adversary Proceeding

Docket 3

*** VACATED *** REASON: Cont. to 3/14/19 @ 9:00 a.m. - jc

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Robert Mansour Hamzey Jr.

Represented By
Daniel C Sever

Defendant(s):

Robert Mansour Hamzey Jr.

Represented By
Daniel C Sever

Marie Ann Hamzey

Represented By
Daniel C Sever

Joint Debtor(s):

Marie Ann Hamzey

Represented By
Daniel C Sever

Plaintiff(s):

William Joseph Hardt Jr

Pro Se

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 24, 2019

Hearing Room 225

10:00 AM

6:18-17748 Andrew Jauregui Ruvalcaba and Rosario Mendoza

Chapter 7

#1.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and Alaska USA Federal Credit Union, in the amount of \$15,409.82

Re: 2015 Chrysler 200

(Cont. from 1/17/19)

Docket 12

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in the Debtors' best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Andrew Jauregui Ruvalcaba

Represented By
Norma Duenas

Joint Debtor(s):

Rosario Mendoza Ruvalcaba

Represented By
Norma Duenas

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 24, 2019

Hearing Room 225

10:00 AM

6:18-18186 Nicole Marie Kean

Chapter 7

#2.00

Hrg. on approval of Reaffirmation Agreement filed 12/13/18 Between Debtor and Hyundai Capital America, in the amount of \$ 17,263.94

Re: 2017 Kia Sportage, VIN: KNDPN3AC5H7050521

(Cont. from 12/17/19)

Docket 12

***** VACATED *** REASON: Ntc of withdrawal filed 12/19/18**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Nicole Marie Kean

Represented By
Andrew S Mansfield

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 24, 2019

Hearing Room 225

2:00 PM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

#1.00

Hrg. on Chapter 11 Status Conference

(Cont. from 11/15/18)

(Tele. appr. Martin Eliopoulos, rep. Havasu)

Docket 0

***** VACATED *** REASON: Cont. to 3/7/19 @ 2:00 p.m. by order signed
on 1/24/19 - jc**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, January 28, 2019

Hearing Room 6C

9:00 AM

8:15-13556 John Olaf Halvorson

Chapter 7

#1.00

CONT'D STATUS CONFERENCE Hearing RE: Motion For Order to Show Cause Pursuant to Local Bankruptcy Rule 9020-1 Why the Baeks Should Not Be Held in Contempt for Willfully Violating the Automatic Stay and Court Order and Sanctioned Pursuant to 11 U.S.C. Section 105
(Motion filed 5/29/18)
(Set per Order Entered 8-31-18)

FR: 10-22-18; 12-12-18

[Tele. appr. Jeffrey I. Golden, repr. Trustee, Weneta Kosmala]

[Tele. appr. Jessica R. MacGregor, repr. Non-Party, Tolliver & Coyle]

Docket 282

Tentative Ruling:

APPEARANCES REQUIRED.

So that the Court will have a fuller understanding of this case and its procedural posture, the Court will ask the following questions in connection with the *Halvorson* matters on calendar this morning:

What is the current status of the criminal proceedings in Oregon against Mr. John Halvorson? Are they still pending? Has he been sentenced? If so, what is the sentence and is any appeal pending with respect to the criminal matters? Do the parties foresee any effect on these bankruptcy proceedings as a result of the criminal proceedings in Oregon?

This matter will be stayed until after Judge Selna issues his ruling in the Trustee's substitution motion. The Court sets a further status conference on the OSC for March 20, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, January 28, 2019

Hearing Room 6C

9:00 AM

CONT... John Olaf Halvorson

Chapter 7

Debtor(s):

John Olaf Halvorson

Represented By
Marc C Forsythe
Charity J Manee

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Reem J Bello
Faye C Rasch
Jeffrey I Golden

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, January 28, 2019

Hearing Room 6C

9:00 AM

8:15-13556 John Olaf Halvorson

Chapter 7

Adv#: 8:15-01391 Baek et al v. Halvorson et al

#2.00

CONT'D STATUS CONFERENCE Hearing RE: Motion For (1) Sanctions Against Richard Baek, Baek 153, LLC, Pacific Commercial Group, LLC, Grace Baek, And Their Attorneys Of Record, Corey Tolliver, And Christopher Coyle For Failure To Participate In Court Ordered Mediation In Good Faith; And (2) Order Revoking Pro Hac Vice Admissions Of Attorneys Christopher Coyle And Corey Tolliver (Docket No. [61] in 8:15-ap-01391, Docket No. [41] in 8:15-ap-01454) And Motion To Lift The Stay Imposed On June 29, 2016 (Docket No. [76] in 8:15-ap-01391, Docket No. [58] in 8:15-ap-01454) (Order setting hearing Entered 11/22/17)

FR: 2-28-18; 4-11-18; 6-13-19; 10-17-18; 12-12-18

Docket 61

Tentative Ruling:

APPEARANCES REQUIRED.

Judge Selna's December 21, 2018 Civil Minutes (the "District Court Order") order this Court to dismiss the 1391 Action. Had there been no appeal of the District Court Order, this Court was planning on doing precisely that: it would have dismissed the 1391 Action following this Status Conference (and, indeed, had already prepared a tentative ruling to that effect).

However, the District Court Order has been appealed to the United States Court of Appeals for the Ninth Circuit (the "Ninth Circuit"). The Baek Parties allege that no stay pending appeal with respect to the District Court Order has been sought by the Trustee or the Randall Parties. This Court has yet to hear from the Trustee or the Randall Parties on this matter and will ask them at the Status Conference whether they have sought a stay pending appeal and, if so, the current status of that stay request.

If no stay has been sought and the Trustee and the Randall Parties do not intend to

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CONT... John Olaf Halvorson Chapter 7

seek a stay, the Court will next inquire of the Trustee and the Randall Parties whether they agree or disagree with the Baek Parties' contention that this Court should dismiss the 1391 Action at this time.

It is possible that the Court will ask for additional briefing on this matter. Federal Rules of Appellate Procedure 6 and 8 would appear to be applicable if a stay is being sought.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

John Olaf Halvorson

Represented By
Marc C Forsythe
Charity J Miller

Defendant(s):

John O. Halvorson

Represented By
Marc C Forsythe
Charity J Miller

Dan L. Halvorson

Represented By
Guillermo Cabrera
Christopher Celentino
Peter W Bowie
Reem J Bello
Marc C Forsythe
Steven J. Katzman
Kyle Kveton
Charity J Miller

Jerry Ann Randall

Represented By
Guillermo Cabrera
Christopher Celentino
Peter W Bowie
Reem J Bello
Marc C Forsythe

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Chapter 7

Steven J. Katzman
Kyle Kveton
Charity J Miller

PCC Fund I, LLC	Pro Se
Granite Bay Partners II, LLC	Pro Se
JH RE Holdings, LLC	Pro Se
Commercial Income Advisors, Inc.	Pro Se

Plaintiff(s):

Richard Baek	Represented By Reem J Bello Ali Matin Steven J. Katzman Kyle Kveton
Pacific Commercial Group, LLC	Represented By Reem J Bello Kyle Kveton Steven J. Katzman Ali Matin
Baek 153, LLP	Represented By Reem J Bello Kyle Kveton Steven J. Katzman Ali Matin
Weneta M. Kosmala	Pro Se

Trustee(s):

Weneta M Kosmala (TR)	Represented By Reem J Bello Faye C Rasch Jeffrey I Golden
-----------------------	--

**United States Bankruptcy Court
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8:15-13556 John Olaf Halvorson

Chapter 7

Adv#: 8:15-01391 Baek et al v. Halvorson et al

#3.00

CON'TD STATUS CONFERENCE Hearing RE: Motion (1) For Stay Relief To The Extent Necessary And (2) To Vacate All Orders And Dismiss Action Pursuant To FRCP 12(b)(1) For Lack Of Subject Matter Jurisdiction (Motion filed 8/31/18)

FR: 10-15-18; 12-12-18

Docket 298

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will vacate this status conference in view of the District Court Order vacating all orders entered in the 1391 action.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

John Olaf Halvorson

Represented By
Marc C Forsythe
Charity J Manee

Defendant(s):

John O. Halvorson

Represented By
Marc C Forsythe
Charity J Manee

Dan L. Halvorson

Represented By
Guillermo Cabrera
Christopher Celentino
Peter W Bowie

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CONT... John Olaf Halvorson

Chapter 7

Jerry Ann Randall

Reem J Bello
Marc C Forsythe
Steven J. Katzman
Kyle Kveton
Charity J Manee

Represented By
Guillermo Cabrera
Christopher Celentino
Peter W Bowie
Reem J Bello
Marc C Forsythe
Steven J. Katzman
Kyle Kveton
Charity J Manee

PCC Fund I, LLC

Pro Se

Granite Bay Partners II, LLC

Pro Se

JH RE Holdings, LLC

Pro Se

Commercial Income Advisors, Inc.

Pro Se

Plaintiff(s):

Richard Baek

Represented By
Reem J Bello
Ali Matin
Steven J. Katzman
Kyle Kveton

Pacific Commercial Group, LLC

Represented By
Reem J Bello
Kyle Kveton
Steven J. Katzman
Ali Matin

Baek 153, LLP

Represented By
Reem J Bello
Kyle Kveton

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CONT... John Olaf Halvorson

Chapter 7

Steven J. Katzman
Ali Matin

Weneta M. Kosmala

Pro Se

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Reem J Bello
Faye C Rasch
Jeffrey I Golden

**United States Bankruptcy Court
Central District of California
Santa Ana
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8:15-13556 John Olaf Halvorson

Chapter 7

Adv#: 8:15-01391 Baek et al v. Halvorson et al

#4.00

CONT'D STATUS CONFERENCE Hearing
(Set per Order Staying Memorandum Decision And Order After Bifurcated Trial
On Unclean Hands Entered on 2/20/18)

FR: 2-28-18; 4-25-18; 9-5-18; 10-17-18; 12-12-18

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will vacate this status conference in view of the District Court Order vacating all orders entered in the 1391 action.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

John Olaf Halvorson

Represented By
Marc C Forsythe
Charity J Miller

Defendant(s):

John O. Halvorson

Represented By
Marc C Forsythe
Charity J Miller

Dan L. Halvorson

Represented By
Guillermo Cabrera
Christopher Celentino
Peter W Bowie
Reem J Bello
Marc C Forsythe

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CONT... John Olaf Halvorson

Chapter 7

	Steven J. Katzman Kyle Kveton Charity J Miller
Jerry Ann Randall	Represented By Guillermo Cabrera Christopher Celentino Peter W Bowie Reem J Bello Marc C Forsythe Steven J. Katzman Kyle Kveton Charity J Miller
PCC Fund I, LLC	Pro Se
Granite Bay Partners II, LLC	Pro Se
JH RE Holdings, LLC	Pro Se
Commercial Income Advisors, Inc.	Pro Se

Plaintiff(s):

Richard Baek	Represented By Reem J Bello Ali Matin Steven J. Katzman Kyle Kveton
Pacific Commercial Group, LLC	Represented By Reem J Bello Kyle Kveton Steven J. Katzman Ali Matin
Baek 153, LLP	Represented By Reem J Bello Kyle Kveton Steven J. Katzman Ali Matin

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CONT... John Olaf Halvorson

Chapter 7

Weneta M. Kosmala

Pro Se

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Reem J Bello
Faye C Rasch
Jeffrey I Golden

**United States Bankruptcy Court
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8:15-13556 John Olaf Halvorson

Chapter 7

Adv#: 8:15-01454 Baek v. Halvorson et al

#5.00

CONT'D STATUS CONFERENCE Hearing
(Set per Order Staying Memorandum Decision And Order After Bifurcated Trial
On Unclean Hands Entered on 2/20/18)

FR: 2-28-18; 4-25-18; 9-5-18; 10-17-18; 12-12-18

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will vacate the status conference in view of the District Court's order of December 21, 2018 vacating this Court's Memorandum Decision And Order After Bifurcated Trial On Unclean Hands. Any stay previously imposed by this Court of the 1454 Action is vacated. The case will go forward. A further status conference (at which a scheduling order likely will be entered) is set for March 13, 2019 at 9:00 a.m.

The Court will not at this time order a second trial on unclean hands but will permit defendants to raise unclean hands as an affirmative defense.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

John Olaf Halvorson

Represented By
Marc C Forsythe
Charity J Miller

Defendant(s):

John Olaf Halvorson

Represented By
Charity J Miller
Marc C Forsythe

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CONT... John Olaf Halvorson
Weneta M.A. Kosmala

Represented By
Reem J Bello

Chapter 7

Plaintiff(s):

Grace Baek

Represented By
Ali Matin
Steven J. Katzman
Kyle Kveton

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Reem J Bello
Faye C Rasch
Jeffrey I Golden

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9:00 AM

8:15-13556 John Olaf Halvorson

Chapter 7

Adv#: 8:15-01454 Baek v. Halvorson et al

#6.00

CONT'D STATUS CONFERENCE Hearing RE: Motion For (1) Sanctions Against Richard Baek, Baek 153, LLC, Pacific Commercial Group, LLC, Grace Baek, And Their Attorneys Of Record, Corey Tolliver, And Christopher Coyle For Failure To Participate In Court Ordered Mediation In Good Faith; And (2) Order Revoking Pro Hac Vice Admissions Of Attorneys Christopher Coyle And Corey Tolliver (Docket No. [61] in 8:15-ap-01391, Docket No. [41] in 8:15-ap-01454) And Motion To Lift The Stay Imposed On June 29, 2016 (Docket No. [76] in 8:15-ap-01391, Docket No. [58] in 8:15-ap-01454) (Order setting hearing Entered 11/22/17)

FR: 2-28-18; 4-11-18; 6-13-18; 10-17-18; 12-12-18

Docket 41

Tentative Ruling:

APPEARANCES REQUIRED.

This matter will go forward. The Court will set a deadline of February 28, 2019 for the filing of an Amended Sanctions Motion, a deadline of March 21, 2019 for the filing of oppositions thereto and a deadline of April 4, 2019 for the filing of replies. The hearing on the Amended Sanctions Motion is set for May 6, 2019 at 9 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

John Olaf Halvorson

Represented By
Marc C Forsythe
Charity J Miller

Defendant(s):

John Olaf Halvorson

Represented By

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9:00 AM

CONT... John Olaf Halvorson

Chapter 7

Weneta M.A. Kosmala

Charity J Miller
Marc C Forsythe

Represented By
Reem J Bello

Plaintiff(s):

Grace Baek

Represented By
Ali Matin
Steven J. Katzman
Kyle Kveton

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Reem J Bello
Faye C Rasch
Jeffrey I Golden

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9:00 AM

8:15-13556 John Olaf Halvorson

Chapter 7

Adv#: 8:17-01119 Kosmala v. Pacific Commercial Group, LLC et al

#6.10

STATUS CONFERENCE Hearing RE: Complaint:

- (1) For Turnover Of Property Of The Estate And For An Accounting Pursuant To 11 U.S.C. Section 542;
- (2) For Turnover Of Property Of The Estate And For An Accounting Pursuant To 11 U.S.C. Section 542;
- (3) For Turnover Of Property Of The Estate And For An Accounting Pursuant To 11 U.S.C. Section 542;
- (4) For Turnover Of Property Of The Estate And For An Accounting Pursuant To 11 U.S.C. Section 542;
- (5) To Avoid And Recover Fraudulent Transfers Pursuant To 11 U.S.C. Sections 544(B) And 550; And California Civil Code Sections 3439.04(a)(1); 3439.07 And 3439.09;
- (6) To Avoid And Recover Fraudulent Transfers Pursuant To 11 U.S.C. Sections 544(b) And 550; And California Civil Code Sections 3439.04(a)(2); 3439.07 And 3439.09;
- (7) To Avoid And Recover Fraudulent Transfers Under 11 U.S.C. Sections 544(b) And 550; And California Civil Code Sections 3439.05; 3439.07 And 3439.09;
- (8) To Avoid And Recover Fraudulent Transfers Pursuant To 11 U.S.C. Sections 544(A)(1)(A) And 550;
- (9) To Avoid And Recover Fraudulent Transfers Pursuant To 11 U.S.C. Sections 544(A)(1)(B) And 550;
- (10) To Avoid And Recover Unauthorized Post Petition Transfers Pursuant To 11 U.S.C. Sections 549 And 550;
- (11) Declaratory Relief;
- (12) To Preserve Transfers For The Benefit Of The Estate Pursuant To 11 U.S.C. Section 551; And
- (13) For Attorneys' Fees And Costs
(Complaint filed 7/15/17)
(PTC set at S/C held 3-7-18)
(S/C set per order entered 1-11-19)

FR: 10-4-17; 11-8-17; 1-17-18; 3-7-18; 11-28-18

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CONT... John Olaf Halvorson

Chapter 7

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire about the current status of this case and where the parties see the case heading.

Party Information

Debtor(s):

John Olaf Halvorson

Represented By
Marc C Forsythe
Charity J Miller

Defendant(s):

Pacific Commercial Group, LLC	Pro Se
Baek Family Partnership, LLC	Pro Se
Baek 124, LLC	Pro Se
Baek Holdings, LLC	Pro Se
Baek 153, LLC	Pro Se
RGJ Baek, LLC	Pro Se
Richard Baek	Pro Se
Grace Baek	Pro Se

Plaintiff(s):

Weneta M.A. Kosmala

Represented By
Reem J Bello

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Reem J Bello
Faye C Rasch

**United States Bankruptcy Court
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9:00 AM

8:15-13556 John Olaf Halvorson

Chapter 7

Adv#: 8:15-01382 Baek 124th, LLC et al v. Halvorson et al

#6.20

CONT'D STATUS CONFERENCE Hearing RE: Complaint For
Nondischargeability Of Debt
(Complaint filed 10/2/15) (PTC set at S/C held 1/20/16)
(S/C set per Order Entered 1/11/19)

FR: 1-16-16; 1-20-16; 9-21-16; 12-21-18

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will stay this proceeding until there is a resolution of the 1454 Action, which will provide greater visibility as to the extent of estate property.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

John Olaf Halvorson

Represented By
Marc C Forsythe
Charity J Miller

Defendant(s):

John Olaf Halvorson

Represented By
Marc C Forsythe
Charity J Miller
Corey B Tolliver

Marc C Forsythe

Represented By
Corey B Tolliver

**United States Bankruptcy Court
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CONT... John Olaf Halvorson

Chapter 7

Plaintiff(s):

Baek 124th, LLC

Represented By
Christopher N Coyle
Misty A Perry Isaacson
Corey B. Tolliver

Baek 153, LLC

Represented By
Christopher N Coyle
Misty A Perry Isaacson
Corey B. Tolliver

Baek Ainsworth Property, LLC

Represented By
Christopher N Coyle
Misty A Perry Isaacson
Corey B. Tolliver

Baek Development, LLC

Represented By
Christopher N Coyle
Misty A Perry Isaacson
Corey B. Tolliver

Baek Family Partnership

Represented By
Christopher N Coyle
Misty A Perry Isaacson
Corey B. Tolliver

Baek Holdings, LLC

Represented By
Christopher N Coyle
Misty A Perry Isaacson
Corey B. Tolliver

Baek Uptown Property, LLC

Represented By
Christopher N Coyle
Misty A Perry Isaacson
Corey B. Tolliver

Pacific Commercial Group, LLC

Represented By
Christopher N Coyle
Misty A Perry Isaacson

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CONT...

John Olaf Halvorson

Chapter 7

RGJ Baek, LLC

Corey B. Tolliver

Represented By
Christopher N Coyle
Misty A Perry Isaacson
Corey B. Tolliver

Grace Baek

Represented By
Christopher N Coyle
Misty A Perry Isaacson
Corey B. Tolliver

Richard Baek

Represented By
Christopher N Coyle
Misty A Perry Isaacson
Corey B. Tolliver

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Reem J Bello

**United States Bankruptcy Court
Central District of California
Santa Ana
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Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01180 Official Committee Of Unsecured Creditors v. Staffmark Investment LLC

#7.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint For Avoidance
And Recovery Of Preferential Transfers Pursuant To 11 U.S.C. Sections 547
And 550
(Complaint filed 10/26/17) (set at s/c held 2/28/18)

FR: 2-28-18; 10-24-18

Docket 1

***** VACATED *** REASON: CONTINUED TO MARCH 20, 2019 AT
9:00 A.M. PER ORDER APPROVING STIPULATION TO ADJOURN AND
CONTINUE THE PRE-TRIAL CONFERENCE ENTERED 1-22-19
[DOCKET NO. [51]]**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green
Caroline Djang
Scott D Fink
Reed M Mercado

Defendant(s):

Staffmark Investment LLC

Pro Se

**United States Bankruptcy Court
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9:00 AM

CONT... Freedom Communications, Inc.

Chapter 11

Plaintiff(s):

Official Committee Of Unsecured

Represented By
Andrew W Caine

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
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Monday, January 28, 2019

Hearing Room 6C

9:00 AM

8:16-13608 Artemio Uriostegui Sagal and Elidia Garcia Sagal

Chapter 13

#8.00

CONT'D Motion for relief from stay [Real Property]

JPMorgan Chase Bank, National Association vs. DEBTOR
(Motion filed 8/31/18)

[RE: 1240 E Banyan Avenue, Anaheim CA 92805]

FR: 10-15-18; 11-19-18; 11-26-18; 12-17-18

Docket 44

***** VACATED *** REASON: OFF CALENDAR - STIPULATION AND
ORDER ENTERED 1-22-19 - (DOCKET NO. [68])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Artemio Uriostegui Sagal

Represented By
Luis G Torres

Joint Debtor(s):

Elidia Garcia Sagal

Represented By
Luis G Torres

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
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Hearing Room 6C

9:00 AM

8:17-13996 Jay Mandel Fontenot

Chapter 13

#9.00

CONT'D Motion for relief from stay [Real Property]

Bayview Loan Servicing LLC, As Servicer For The Bank Of New York Mellon
FKA The Bank Of New York As Trustee For The Certificateholder Of The
CWMBS Inc., CHL Mortgage Pass-Through Trust 2007-HYB1, Mortgage Pass-
Through Certificates, Series 2007-HYB1 - vs. DEBTOR
(Motion filed 11/13/18)

[RE: 1311 West Marigold Avenue, La Habra, CA 90631]

FR: 12-10-18

Docket 59

***** VACATED *** REASON: OFF CALENDAR - SETTLED BY
STIPULATION AND ORDER ENTERED 12-20-18 - [Docket No. [65]]**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jay Mandel Fontenot

Represented By
Krystina T Tran

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
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9:00 AM

8:18-10930 Gerald Bennet Villaverde and Melinda Emma Sutika

Chapter 13

#10.00

CONT'D Motion for relief from stay [Personal Property]

JPMorgan Chase Bank, N.A. vs. DEBTORS
(Motion filed 11/8/18)

[RE: 2014 Nissan Maxima - VIN No.: 1N4AA5AP2EC465126]

FR: 12-10-18

Docket 62

***** VACATED *** REASON: OFF CALENDAR - ORDER AND
DISMISSAL ARISING FROM MOTION TO DISMISS CHAPTER 13
ENTERED 1-14-19 - [Docket No. [83]]**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Gerald Bennet Villaverde

Represented By
Christopher J Langley

Joint Debtor(s):

Melinda Emma Sutika

Represented By
Christopher J Langley

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
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Hearing Room 6C

9:00 AM

8:18-10936 Darren Kobayashi

Chapter 13

#11.00

Motion for relief from stay [Real Property]

Deutsche Bank National Trust Company As Trustee For The Wamu Mortgage
Pass-Through Certificates, Series 2003-AR10 vs. DEBTOR
(Motion filed 12/20/18)

[RE: 1707 Colina Terrestre, San Clemente, California 92673]

**[Tele. appr. Alexander K. Lee, repr. Deutsche Bank National Trust
Company, As Trustee]**

Docket 52

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Darren Kobayashi

Represented By
John Habashy

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
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9:00 AM

8:18-11621 Christine K Roberts

Chapter 13

#12.00

CONT'D Motion for relief from stay [Real Property]

Deutsche Bank National Trust Company, As Trustee, On Behalf Of The Holders Of The Impac Secured Assets Corp., Mortgage Pass-Through Certificates Series 2004-3, Its Assignees And/Or Successors vs. DEBTOR
(Motion filed 12/3/18)

[RE: 1109 W 21st Street, Santa Ana, CA 92706]

FR: 1-14-19

[Tele. appr. Nancy Lee, repr. Select Portfolio Servicing Inc.]

Docket 58

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1) based on three missed post-petition, pre-confirmation payments.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Christine K Roberts

Represented By
Bruce D White

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

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9:00 AM

8:18-12038 John J Bruno

Chapter 13

#13.00

CONT'D Motion for relief from stay [Action In Non-Bankruptcy Forum]

Elizabeth Anderson vs. DEBTOR
(Motion filed 12/7/18)

**[RE: Case Name: Elizabeth Anderson vs. John Bruno]
[Docket No.: TC 028516]
[Pending In: Superior Court Of California, County Of Los Angeles,
Compton, CA]**

FR: 1-14-19

Docket 34

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

John J Bruno

Represented By
Daniel King

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
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Hearing Room 6C

9:00 AM

8:18-12038 John J Bruno

Chapter 13

Adv#: 8:18-01167 Anderson v. Bruno

#13.10

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Determine
Dischargeability Of Debt
[Pursuant To 11 U.S.C. Section 523(a)(2)(A)]
(Complaint filed 9/4/18)
(Another Summons issued 9/19/18)

FR: 11-28-18; 12-5-18; 12-19-18

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

John J Bruno

Represented By
Daniel King

Defendant(s):

John Bruno

Pro Se

Plaintiff(s):

Elizabeth Anderson

Represented By
Leona R Singer

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, January 28, 2019

Hearing Room 6C

9:00 AM

8:18-12038 John J Bruno

Chapter 13

Adv#: 8:18-01167 Anderson v. Bruno

#13.20

CONT'D Hearing RE: Motion For Default Judgment Under LBR 7055-1
(Motion filed 11/13/18)

FR: 12-19-18

Docket 5

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

John J Bruno

Represented By
Daniel King

Defendant(s):

John Bruno

Pro Se

Plaintiff(s):

Elizabeth Anderson

Represented By
Leona R Singer

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, January 28, 2019

Hearing Room 6C

9:00 AM

8:18-13393 Felix Castellanos

Chapter 7

#14.00

CONT'D Motion for relief from stay [Action In Non-Bankruptcy Forum]

Home Expo Financial Inc., As Trustee Of West Hampshire Trust Dated
9/12/2018
(Motion filed 12/17/18)

**[RE: Case Name: Home Expo Financial Inc. v. Castellanos]
[Docket No.: 30-2018-01030673-CL-UD-NJC]
[Pending In: Orange County Superior Court]
[RE: 1179 W. Hampshire, Anaheim, CA 92802]**

FR: 1-14-18

Docket 17

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2) and will grant the requested annulment.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Felix Castellanos	Pro Se
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Trustee(s):

Karen S Naylor (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 5C Calendar**

Monday, January 28, 2019

Hearing Room 5C

9:00 AM

8:18-13522 Mohammad Ali Kharazmi

Chapter 11

#15.00

Motion for relief from automatic stay [Real Property]

Lone Oak Fund LLC vs. DEBTOR
(Motion filed 11/14/18)

[RE: 4721 Cortland Drive, Corona Del Mar, CA 92625]

Docket 20

***** VACATED *** REASON: OFF CALENDAR - DUPLICATE OF
CALENDAR NUMBER 16.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Mohammad Ali Kharazmi

Represented By
Leonard Pena

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, January 28, 2019

Hearing Room 6C

9:00 AM

8:18-13522 Mohammad Ali Kharazmi

Chapter 11

#16.00

CONT'D Motion for relief from stay [Real Property]

Lone Oak Fund, LLC vs. DEBTOR
(Motion filed 12/11/18)

[RE: 4721 Cortland Drive, Corona Del Mar, California 92625]

FR: 12-10-18

[Tele. appr. Simon Aron, repr. Lone Oak Fund]

[Tele. appr. Leonard Pena, repr. Kharazimi]

Docket 34

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(2) only.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Mohammad Ali Kharazmi

Represented By
Leonard Pena

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, January 28, 2019

Hearing Room 6C

9:00 AM

8:18-13522 **Mohammad Ali Kharazmi**

Chapter 11

#17.00

Motion for relief from stay [Real Property]

PSG Capital Partners Inc, LLC vs. DEBTOR
(Motion filed 12/21/18)

[RE: 4721 Cortland Drive, Corona Del Mar, California 92625]

[Tele. appr. Simon Aron, repr. Lone Oak Fund]

[Tele. appr. Leonard Pena, repr. Kharazimi]

Docket 43

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(2) only.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Mohammad Ali Kharazmi

Represented By
Leonard Pena

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, January 28, 2019

Hearing Room 6C

9:00 AM

8:18-13805 Manuel Romero

Chapter 7

#18.00

CONT'D Motion for relief from stay [Action In Non-Bankruptcy Forum]

Fidel Ramirez Trejo And Leticia Ramirez vs. DEBTOR
(Motion filed 11/27/18)

**[RE: Case Name: Ramirez v. Romero Baltazar, et al.]
[Docket Number: 30-2018-00984161-CU-PA-CJC]
[Pending In: Orange County Superior Court]**

FR: 1-14-19

[Tele. appr. Patricia Salcedo, repr. Fidel Ramirez]

Docket 15

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Manuel Romero

Represented By
Lauren M Foley

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, January 28, 2019

Hearing Room 6C

9:00 AM

8:18-14186 Mikaela Abarca

Chapter 7

#19.00

Motion for relief from stay [Personal Property]

Toyota Motor Corporation vs. DEBTOR
(Motion filed 12/17/18)

[RE: 2016 Toyota Corolla - VIN No. 5YFBURHE4GP512457]

Docket 11

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Mikaela Abarca

Represented By
Hector Vega

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, January 28, 2019

Hearing Room 6C

9:00 AM

8:18-14186 Mikaela Abarca

Chapter 7

#20.00

Motion for relief from stay [Unlawful Detainer]

Heritage Place LP vs. DEBTOR
(Motion filed 12/26/18)

[RE: 537 E. Center Street, #276, Anaheim, CA 92805]

Docket 13

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Mikaela Abarca

Represented By
Hector Vega

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, January 28, 2019

Hearing Room 6C

9:00 AM

8:18-14426 Rafael Rangel Mendoza and Maria A Zamudio Robles

Chapter 7

#21.00

CONT'D Motion for relief from stay [PERSONAL PROPERTY]

21st Mortgage Corporation vs. Debtor
(Motion filed 12/16/18)

**[RE: 2005 Goldenwest Manufactured Home]
[Model Number: GP561P71GOP20; Serial Number: PER033032CAA/CAB]
[Located At: 109 E. Balboa Lane Tustin, CA 92780]**

FR: 1-14-19

[Tele. appr. Diane V. Weifenbach, repr. US Bank]

Docket 16

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Rafael Rangel Mendoza

Represented By
Richard M Moss III

Joint Debtor(s):

Maria A Zamudio Robles

Represented By
Richard M Moss III

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, January 28, 2019

Hearing Room 6C

9:00 AM

8:18-10930 Gerald Bennet Villaverde and Melinda Emma Sutika

Chapter 13

#22.00

Motion for relief from stay [Personal Property]

Capital One Auto Finance, A Division Of Capital One, N.A. vs. DEBTORS
(Motion filed 1/3/19)

**[RE: 2010 Toyota Matrix-4 CYL. Sports Wagon]
[VIN No.: 2T1KU4EE3AC353672]**

Docket 81

***** VACATED *** REASON: OFF CALENDAR - ORDER AND
DISMISSAL ARISING FROM MOTION TO DISMISS CHAPTER 13
ENTERED 1-14-19 - [Docket No. [83]]**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Gerald Bennet Villaverde

Represented By
Christopher J Langley

Joint Debtor(s):

Melinda Emma Sutika

Represented By
Christopher J Langley

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, January 28, 2019

Hearing Room 6C

9:00 AM

8:13-13794 Timothy Guy Sawyer

Chapter 13

#23.00

Motion for relief from stay [Real Property]

U.S. Bank N.A., As Trustee, On Behalf Of The Holders Of The J.P. Morgan Mortgage Acquisition Trust 2006-WMC3 Asset Backed Pass-Through Certificates, Series 2006-WMC3 vs. DEBTOR
(Motion filed 1/4/19)

[RE: 15 Riptide Court, #18, Newport Beach, CA 92663]

Docket 81

***** VACATED *** REASON: OFF CALENDAR - WITHDRAWAL OF
MOTION FOR RELIEF FROM THE AUTOMATIC STAY FILED 1-24-19 -
[DOCKET NO. [88]]**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Timothy Guy Sawyer

Represented By
Dennis Connelly

Trustee(s):

Amrane (SA) Cohen (TR)

Represented By
Amrane (SA) Cohen (TR)

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, January 28, 2019

Hearing Room 6C

9:00 AM

8:18-11759 Chester Davenport

Chapter 7

#24.00

Motion for relief from stay [Real Property]

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

[RE: 9225 Inglewood Drive, Potomac, MD 20854]

Docket 217

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Chester Davenport

Represented By
Michael Jay Berger

Trustee(s):

Karen S Naylor (TR)

Represented By
Kathleen J McCarthy
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, January 28, 2019

Hearing Room 6C

9:00 AM

8:18-11759 Chester Davenport

Chapter 7

#25.00

Motion for relief from stay [Real Property]

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

[RE: 6 Janes Cove Road, Edgartown, MA 02539]

Docket 218

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Chester Davenport

Represented By
Michael Jay Berger

Trustee(s):

Karen S Naylor (TR)

Represented By
Kathleen J McCarthy
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, January 28, 2019

Hearing Room 6C

9:00 AM

8:18-11759 Chester Davenport

Chapter 7

#26.00

Motion for relief from stay [Real Property]

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

[RE: 9227 Inglewood Drive, Potomac, MD 20854]

Docket 216

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Chester Davenport

Represented By
Michael Jay Berger

Trustee(s):

Karen S Naylor (TR)

Represented By
Kathleen J McCarthy
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, January 28, 2019

Hearing Room 6C

2:00 PM

8:12-15356 George Chike Ifeorah
Adv#: 8:13-01048 Flegal et al v. Ifeorah

Chapter 7

#1.00

CONT'D Hearing RE: Third Party Claim To Seized Or Garnished Funds; Motion For Turnover Of Funds
(Motion filed 12/11/18)

FR: 1-14-19

Docket 175

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will deny the motion for the reasons stated by Ryan Flegal and Invest & Design LLC in their opposition.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

George Chike Ifeorah

Represented By
Michael R Totaro

Defendant(s):

George Chike Ifeorah

Represented By
William J Smyth
Andrew Edward Smyth

Plaintiff(s):

Ryan Flegal

Represented By
Mark M Sharf
Harold C Klaskin

Invest & Design, LLC

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, January 28, 2019

Hearing Room 6C

2:00 PM

CONT... George Chike Ifeora

Chapter 7

Mark M Sharf
Harold C Klaskin

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, January 28, 2019

Hearing Room 6C

2:00 PM

8:15-15715 William John Murphy and Cheryl Lynn Murphy

Chapter 7

#2.00

Hearing RE: Motion Of Chapter 7 Trustee To Disallow Claim:
(Motion filed 12/12/18)

Claim No. 5	DefensTech International, Inc.	\$5,600,000.00
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Docket 179

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and disallow Claim No. 5 in its entirety as a duplicate claim.

The Court will grant the motion and disallow Claim No. 6 in its entirety as having no basis in fact.

In each instance, the Trustee has made a prima facie showing with having greater probative value and force than that appearing in the proof of claim. The burden then shifts to the claimant to prove up its claim by a preponderance of the evidence. Claimant, having filed no opposition to the motions, has failed to meet its burden.

TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

William John Murphy

Represented By
Sean A OKeefe
Michael N Nicastro

Joint Debtor(s):

Cheryl Lynn Murphy

Represented By
Sean A OKeefe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, January 28, 2019

Hearing Room 6C

2:00 PM

CONT... William John Murphy and Cheryl Lynn Murphy

Chapter 7

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Jason Balitzer
Steven Werth

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, January 28, 2019

Hearing Room 6C

2:00 PM

8:15-15715 William John Murphy and Cheryl Lynn Murphy

Chapter 7

#3.00

Hearing RE: Motion Of Chapter 7 Trustee To Disallow Claim:
Motion filed 12/12/18)

Claim No. 6	DefensTech International, Inc.	\$To Be Determined According To Proof At
Trial		

Docket 181

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and disallow Claim No. 5 in its entirety as a duplicate claim.

The Court will grant the motion and disallow Claim No. 6 in its entirety as having no basis in fact.

In each instance, the Trustee has made a prima facie showing with having greater probative value and force than that appearing in the proof of claim. The burden then shifts to the claimant to prove up its claim by a preponderance of the evidence. Claimant, having filed no opposition to the motions, has failed to meet its burden.

TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

William John Murphy

Represented By
Sean A OKeefe
Michael N Nicastro

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, January 28, 2019

Hearing Room 6C

2:00 PM

CONT... William John Murphy and Cheryl Lynn Murphy

Chapter 7

Joint Debtor(s):

Cheryl Lynn Murphy

Represented By
Sean A OKeefe

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Jason Balitzer
Steven Werth

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, January 28, 2019

Hearing Room 6C

2:00 PM

8:16-10045 C & W Murphy and Associates, Inc.

Chapter 7

#4.00

Hearing RE: Motion For Order Vacating Denial Of Chapter 7 Trustee's
Objection To Claim No. 8 Of Defenstech International, Inc, And Sustaining
Objection
(Motion filed 12/19/18)

Docket 270

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

C & W Murphy and Associates, Inc.

Represented By
D Edward Hays

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Erin P Moriarty

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, January 28, 2019

Hearing Room 6C

2:00 PM

8:16-11202 QF Liquidation Inc.

Chapter 11

#5.00

Hearing RE: Debtor's Motion For An Entry Of An Order Barring, Estopping, Enjoining, Discharging And Deeming Waived The Claim Of The Internal Revenue Service For Certain Penalties Or, In The Alternative, Determining Penalties Should Be Zero
(Motion filed 12/20/18)

Docket 611

***** VACATED *** REASON: ADVANCED TO JANUARY 23, 2019 AT
2:00 P.M. PER ORDER GRANTING DEBTOR'S EMERGENCY MOTION
ENTERED 1-2-19 (Docket No. [617])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

QF Liquidation Inc.

Represented By
Marshall J Hogan
Victor A Vilaplana

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 5B Calendar**

Monday, January 28, 2019

Hearing Room 5B

2:00 PM

8:18-11997 QDOS, Inc

Chapter 11

#6.00

Hearing RE: Motion For (i) Deferral Of Consideration Of Debtor's Attorney's Fees And Costs; And (ii) Approval Of Statement Of Evidence
(Motion filed 12/13/18)

Docket 108

***** VACATED *** REASON: CONTINUED TO FEBRUARY 25, 2019 AT
2:00 P.M. PER ORDER CONTINUING HEARINGS ENTERED 12-21-18
(Docket No. [111])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

QDOS, Inc

Represented By
Damian D Capozzola

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, January 28, 2019

Hearing Room 6C

2:00 PM

8:18-11997 QDOS, Inc

Chapter 11

#7.00

Hearing RE: On The Issue Of Whether The Court Should Grant Judgment Against Mr. Wiese, Mr. Hayden, Mr. Terrigno And Mr. Maddox And In Favor Of QDOS For Reasonable Attorneys' Fees And Costs Incurred By QDOS In Connection With This Involuntary Petition Proceeding
(Set per Memorandum Decision And Order Entered 10/31/18)

Docket 0

***** VACATED *** REASON: OFF CALENDAR - PER ORDER RE
PETITIONING CREDITORS' MOTION FILED DECEMBER 31, 2018
ENTERED 1-4-19 - (Docket No. [114])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

QDOS, Inc

Represented By
Damian D Capozzola

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, January 28, 2019

Hearing Room 6C

2:00 PM

8:18-13522 Mohammad Ali Kharazmi

Chapter 11

#8.00

CONT'D Hearing RE: Motion By United States Trustee To Dismiss Or Convert Case Pursuant To 11 U.S.C. Section 1112(b)
(Motion filed 11/27/18)

FR: 1-14-19

[Tele. appr. Leonard Pena, repr. Kharazmi]

Docket 28

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and dismiss the case.

UNITED STATES TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Mohammad Ali Kharazmi

Represented By
Leonard Pena

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, January 28, 2019

Hearing Room 6C

2:00 PM

8:17-10559 Michael J Ervin

Chapter 7

Adv#: 8:17-01144 Itria Ventures, LLC v. Ervin

#9.00

Hearing RE: Motion For Protective Order Prohibiting The Deposition Of Archer Western Contractors, LLC
(Motion filed 1/28/19)

Docket 63

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael J Ervin

Represented By
Mark D Klein

Defendant(s):

Michael J Ervin

Represented By
Anerio V Altman

Plaintiff(s):

Itria Ventures, LLC

Represented By
Michael F Chekian

Trustee(s):

Karen S Naylor (TR)

Represented By
Burd & Naylor
William M Burd

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 29, 2019

Hearing Room 225

9:00 AM

6:19-10456 RFS Sports, Inc.

Chapter 11

#1.00

Hrg. on Debtor's Motion filed 1/23/19, for Joint Administration and Consolidation of cases

(OST signed 1/23/18)

Docket 3

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion in part and deny it in part.

The Court will deny movant's request for a joint section 341(a) meeting of creditors and will make the low-numbered case (RFS Sports, Inc.) the lead case in these jointly-administered cases. The remainder of the motion is granted.

DEBTORS TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

RFS Sports, Inc.

Represented By
Javier H Castillo

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 29, 2019

Hearing Room 225

9:00 AM

6:16-18601 Tunarcie Glenn Metters and Queen Alencia Metters

Chapter 7

#2.00

Hrg. on Trustee's Final Report and Application for compensation

(Advanced from 1/29/19 @ 2:00 p.m.)

Docket 0

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant and allow:

Trustee's fees: \$762.56

Trustee's expenses: \$65.68

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Tunarcie Glenn Metters

Represented By
Nicholas M Wajda

Joint Debtor(s):

Queen Alencia Metters

Represented By
Nicholas M Wajda

Trustee(s):

John P Pringle (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 29, 2019

Hearing Room 225

9:00 AM

6:17-20442 Timothy David Murphy

Chapter 7

#3.00

Hrg. on Trustee's Motion filed 1/4/19 for Order Compelling Turnover of Estate Property and Documents

(Advanced from 2/26/19)

Docket 98

***** VACATED *** REASON: Cont. to 2/26/19 @ 2:00 p.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Timothy David Murphy

Represented By
Timothy D Murphy

Trustee(s):

Lynda T. Bui (TR)

Represented By
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 29, 2019

Hearing Room 225

2:00 PM

6:16-15248 Murray Altman

Chapter 11

#1.00

Hrg. on Motion By United States Trustee To Dismiss Or Convert Chapter 11
Case

(Cont. from 10/16/18)

Docket 274

***** VACATED *** REASON: Order signed 1/23/19, cont. matter to
3/12/19 @ 2:00 p.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 29, 2019

Hearing Room 225

2:00 PM

6:16-15248 Murray Altman

Chapter 11

#2.00

Hrg. on Debtor's Motion filed 10/16/18 to Continue Hearing on Shin Motion to Dismiss

(Cont.from 11/15/18)

Docket 293

***** VACATED *** REASON: Vacated as Moot - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 29, 2019

Hearing Room 225

2:00 PM

6:16-15248 Murray Altman

Chapter 11

#3.00

Hrg. re Motion, of Yun Hei Shin, moving for order dismissing Altmans Ch.11 case, with a 180 Day bar against filing any additional bankruptcy Case, for cause, Including improper diminution of bankruptcy estate; 2nd amended plan is not confirmable; bad faith; and undue delay prejudicial to creditors'

(Cont.from 11/15/18)

Docket 289

***** VACATED *** REASON: Order signed 1/23/19, cont. matter to 3/12/19 @ 2:00 p.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 29, 2019

Hearing Room 225

2:00 PM

6:16-15248 Murray Altman

Chapter 11

#4.00

Hrg. on Chapter 11 Status Conference

(Cont. from 1/10/19)

Docket 1

***** VACATED *** REASON: Order signed 1/23/19, cont. matter to
3/12/19 @ 2:00 p.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 29, 2019

Hearing Room 225

2:00 PM

6:16-18601 Tunarcie Glenn Metters and Queen Alencia Metters

Chapter 7

#5.00

Hrg. on Trustee's Final Report and Application for compensation

Docket 0

***** VACATED *** REASON: Advanced to 1/29/19 @ 9:00 a.m. - jc**

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant and allow:

Trustee's fees: \$762.56

Trustee's expenses: \$65.68

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Tunarcie Glenn Metters

Represented By
Nicholas M Wajda

Joint Debtor(s):

Queen Alencia Metters

Represented By
Nicholas M Wajda

Trustee(s):

John P Pringle (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 29, 2019

Hearing Room 225

2:00 PM

6:17-20442 Timothy David Murphy

Chapter 7

#6.00

Hrg. on Trustee's Motion filed 1/4/19 for Order Compelling Turnover of Estate Property and Documents

Docket 98

***** VACATED *** REASON: Advanced to 1/29/19 @ 9:00 A.M. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Timothy David Murphy

Represented By
Timothy D Murphy

Trustee(s):

Lynda T. Bui (TR)

Represented By
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 29, 2019

Hearing Room 225

2:00 PM

6:18-20511 Katherine Coronado and Edgar Arnaldo Monterroso

Chapter 7

#7.00

Hrg. on Motion By United States Trustee filed 1/2/19 To Dismiss Case With A Re-Filing Bar

Docket 7

***** VACATED *** REASON: Cont. to 3/12/19 @ 9:00 a.m. jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Katherine Coronado	Pro Se
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Joint Debtor(s):

Edgar Arnaldo Monterroso	Pro Se
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Trustee(s):

Robert Whitmore (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 29, 2019

Hearing Room 225

2:00 PM

6:19-10456 RFS Sports, Inc.

Chapter 11

#8.00

Hrg. on Debtor's Motion filed 1/23/19, for Joint Administration and Consolidation of cases

(OST signed 1/23/18)

Docket 3

***** VACATED *** REASON: Advanced to 9:00 a.m. calendar - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

RFS Sports, Inc.

Represented By
Javier H Castillo

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 30, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01174 Official Committee Of Unsecured Creditors v. New Market Enterprises, Inc.

#1.00

CONT'D PRETRIAL CONFERENCE Hearing RE: Complaint For Avoidance
And Recovery Of Preferential Transfers Pursuant To 11 U.S.C. Sections 547
And 550
(Complaint filed 10/26/17) (set at s/c held 2/28/18)

FR: 2-28-18; 10-24-18

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire whether the case is headed toward settlement.

COURT TO PREPARE ORDER continuing hearing if necessary.

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By

William N Lobel

Beth Gaschen

Alan J Friedman

Christopher J Green

Caroline Djang

Scott D Fink

Reed M Mercado

Defendant(s):

New Market Enterprises, Inc.

Pro Se

Plaintiff(s):

Official Committee Of Unsecured

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 30, 2019

Hearing Room 6C

9:00 AM

CONT...

Freedom Communications, Inc.

Andrew W Caine

Chapter 11

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 30, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01180 Official Committee Of Unsecured Creditors v. Staffmark Investment LLC

#2.00

CONT'D Hearing RE: Defendant Staffmark Investment, LLC's Motion For Summary Judgment
(Motion filed 11/7/18)

FR: 12-19-18

Docket 24

***** VACATED *** REASON: CONTINUED TO MARCH 27, 2019 AT
9:00 A.M. PER ORDER APPROVING STIPULATION TO EXTEND
DEADLINES AND CONTINUE HEARING ENTERED 1-22-19 - (DOCKET
NO. [50])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green
Caroline Djang
Scott D Fink
Reed M Mercado

Defendant(s):

Staffmark Investment LLC

Represented By
Scott A Schiff

Plaintiff(s):

Official Committee Of Unsecured

Represented By
Andrew W Caine

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 30, 2019

Hearing Room 6C

9:00 AM

CONT...

Freedom Communications, Inc.

Jeffrey P Nolan

Chapter 11

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar

Wednesday, January 30, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01181 Official Committee Of Unsecured Creditors v. General Rewinding, Inc.

#3.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Avoidance And Recovery Of Preferential Transfers Pursuant To 11 U.S.C. Sections 547 And 550

(Complaint filed 10/26/17) (set at s/c held 2-28-18)

(Notice of Settlement filed 10-9-18)

(S/C set at PTC held 10/24/18)

FR: 2-28-18 at 9:00 a.m.; 10-24-18

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER APPROVING
STIPULATION OF DISMISSAL WITH PREJUDICE ENTERED 1-4-19 -
(Docket No. [18])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green
Caroline Djang
Scott D Fink
Reed M Mercado

Defendant(s):

General Rewinding, Inc.

Pro Se

Plaintiff(s):

Official Committee Of Unsecured

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 30, 2019

Hearing Room 6C

9:00 AM

CONT...

Freedom Communications, Inc.

Andrew W Caine

Chapter 11

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 30, 2019

Hearing Room 6C

9:00 AM

8:16-13380 Eric Martinson

Chapter 11

#4.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 8/9/16)

FR: 10-12-16; 11-9-16; 2-15-17; 5-3-17; 9-27-17, 12-13-17; 2-28-18; 6-6-18;
10-17-18

Docket 8

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will (1) inquire into compliance with U.S. Trustee guidelines and requirements and (2) extend the deadline for filing a plan and disclosure statement to August 31, 2019 and the deadline for confirming a plan to November 15, 2019.

Next status conference: May 22, 2019 at 9:00 a.m. Status report due May 8, 2019.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Eric Martinson

Represented By
Richard Lynn Barrett

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 30, 2019

Hearing Room 6C

9:00 AM

8:16-15208 Michael Younessi

Chapter 11

#5.00

CONT'D Hearing RE: Motion to Confirm that Obligations to Diamond Enterprises, LTD, LP, are Terminated and to Void Certain Liens (Motion filed 7/24/18) (set per order entered 8/23/18)

FR: 11-14-18

Docket 226

Tentative Ruling:

APPEARANCES NOT REQUIRED.

An appeal has been taken to the United States Bankruptcy Appellate Panel of the Ninth Circuit (the "BAP") of this Court's order denying Diamond's motion for revocation of the confirmation order on the ground that such motion was untimely.

In terms of judicial efficiency, it makes little sense for this Court to hear and determine motions relating to the meaning and extent of the confirmation order and the related order reconsidering the confirmation order when there is a possibility that the confirmation order could be vacated in its entirety as a result of the BAP's determination of the appeal. Accordingly, the Court continues the hearing of this motion to June 24, 2019 at 2:00 p.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Michael Younessi

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 30, 2019

Hearing Room 6C

9:00 AM

8:16-15208 Michael Younessi

Chapter 11

#5.10

CONT'D STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 12/27/16)

FR: 3-8-17; 8-2-17; 11-29-17; 3-28-18; 8-8-18; 12-12-18

Docket 0

Tentative Ruling:

APPEARANCES NOT REQUIRED.

An appeal has been taken to the United States Bankruptcy Appellate Panel of the Ninth Circuit (the "BAP") of this Court's order denying Diamond's motion for revocation of the confirmation order on the ground that such motion was untimely.

In terms of judicial efficiency, it makes little sense for this Court to hear and determine motions relating to the meaning and extent of the confirmation order and the related order reconsidering the confirmation order when there is a possibility that the confirmation order could be vacated in its entirety as a result of the BAP's determination of the appeal. Accordingly, the Court continues the hearing of this motion to June 24, 2019 at 2:00 p.m.

COURT TO PREPARE ORDER

Party Information

Debtor(s):

Michael Younessi

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 30, 2019

Hearing Room 6C

9:00 AM

8:16-15208 Michael Younessi

Chapter 11

Adv#: 8:17-01051 Diamond Enterprises, LTD., LP v. Younessi

#6.00

CONT'D Hearing RE: Defendant's Motion For Summary Judgment Or In The
Alternative Summary Adjudication
(Motion filed 5/8/18)

FR: 6-27-18; 8-29-18; 11-14-18

Docket 78

Tentative Ruling:

APPEARANCES NOT REQUIRED.

An appeal has been taken to the United States Bankruptcy Appellate Panel of the Ninth Circuit (the "BAP") of this Court's order denying Diamond's motion for revocation of the confirmation order on the ground that such motion was untimely.

In terms of judicial efficiency, it makes little sense for this Court to hear and determine motions relating to the meaning and extent of the confirmation order and the related order reconsidering the confirmation order when there is a possibility that the confirmation order could be vacated in its entirety as a result of the BAP's determination of the appeal. Accordingly, the Court continues the hearing of this motion to June 24, 2019 at 2:00 p.m.

COURT TO PREPARE ORDER

Party Information

Debtor(s):

Michael Younessi

Represented By
Michael Jones
Sara Tidd

Defendant(s):

Michael Younessi

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 30, 2019

Hearing Room 6C

9:00 AM

CONT...

Michael Younessi

Roger Frederickson

Chapter 11

Plaintiff(s):

Diamond Enterprises, LTD., LP

Represented By
M Douglas Flahaut

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, January 30, 2019

Hearing Room 6C

9:00 AM

8:18-12427 James Russell Balsamo

Chapter 7

Adv#: 8:18-01189 Labor Commissioner, State of California v. Balsamo

#7.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Request
Determination Of Dischargeability Of Debt
(Complaint filed 10/15/18)

FR: 1-9-19

Docket 1

***** VACATED *** REASON: CONTINUED TO APRIL 10, 2019 AT 9:00
A.M. PER ANOTHER SUMMONS ISSUED 1-14/19 - (Docket No. [7])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

James Russell Balsamo

Represented By
Joseph M Tosti

Defendant(s):

James Russell Balsamo

Pro Se

Plaintiff(s):

Labor Commissioner, State of

Represented By
Phoebe P Liu

Trustee(s):

Richard A Marshack (TR)

Pro Se

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar

Wednesday, January 30, 2019

Hearing Room 6C

9:00 AM

8:19-10160 Antoine Daoud

Chapter 7

#8.00

STATUS CONFERENCE Hearing RE: Chapter 7 Involuntary Petition
(Involuntary Petition filed 1/16/19)

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER
TRANSFERRING CASE TO LOS ANGELES DIVISION ENTERED 1-28-
19 - (DOCKET NO. [5])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Antoine Daoud

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 31, 2019

Hearing Room 225

9:00 AM

6:16-13150 Paul Gregory Katona

Chapter 7

Adv#: 6:17-01221 United States Trustee for the Central District of v. Katona et al

#1.00

PRE-TRIALCONFERENCE re: Complaint by United States Trustee for the Central District of California, Region 16 against Paul Gregory Katona, Gail Marie Katona. (Fee Not Required). with adversary cover sheet Nature of Suit: (41 (Objection / revocation of discharge - 727(c),(d),(e)))

(Cont. from 11/15/18)

Docket 1

*** VACATED *** REASON: Cont. to 3/21/19 @ 9:00 a.m. - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Paul Gregory Katona

Represented By
Douglas A Plazak

Defendant(s):

Paul Gregory Katona

Represented By
Douglas A Plazak

Gail Marie Katona

Represented By
Douglas A Plazak

Joint Debtor(s):

Gail Marie Katona

Represented By
Douglas A Plazak

Plaintiff(s):

United States Trustee for the Central

Represented By
Everett L Green

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 31, 2019

Hearing Room 225

9:00 AM

CONT... Paul Gregory Katona

Chapter 7

Trustee(s):

John P Pringle (TR)

Represented By

Lynda T Bui

Rika Kido

Brianna L Frazier

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 31, 2019

Hearing Room 225

9:00 AM

6:17-16779 Carlitos Vargas

Chapter 7

Adv#: 6:17-01243 Vargas v. United States Department Of Education et al

#3.00

Pre-TrialConference re Complaint by Michelle Vargas against United States Department Of Education, Navient Corporation, Navient Credit Finance Corporation, Navient Solutions, Inc., Education Credit Management Corporation. (Fee Not Required). Complaint to Determine Dischargeability of Student Loans - 11 U.S.C. Section 523(a)(8); Borrower's Defenses Against Repayment - 20 U.S.C. Section 1087e(h); 34 C.F.R. 685.206(c): 1) Fraud, Misrepresentation, Concealment, and False Promises; 2) Fraud, Forgery, and Undue Influence 3) Violation of California Business and Professions Code Sections 17200 et seq; 4) Violation of California Business and Professions Code Sections 17500 et seq; and 5) Discharge of Debt Obtained by Students Whose Eligibility for Federal Student Aid was Falsely Certified by the School - 20 U.S.C. Section 1087; 34 C.F.R. 685.215 Nature of Suit: (63 (Dischargeability - 523(a)(8), student loan)),(02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy)

(Cont. from 10/25/18)

Docket 1

***** VACATED *** REASON: Cont. to 3/14/19 @ 9:00 a.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Carlitos Vargas

Represented By
Todd L Turoci

Defendant(s):

United States Department Of

Represented By
Elan S Levey

Navient Corporation

Represented By
Robert S Lampl

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 31, 2019

Hearing Room 225

9:00 AM

CONT... Carlitos Vargas Chapter 7

Navient Credit Finance Corporation Represented By
Robert S Lampl

Navient Solutions, Inc. Represented By
Robert S Lampl

Education Credit Management Pro Se

Joint Debtor(s):

Michelle Vargas Represented By
Todd L Turoci

Plaintiff(s):

Michelle Vargas Represented By
Todd L Turoci

Trustee(s):

Todd A. Frealy (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 31, 2019

Hearing Room 225

9:00 AM

6:17-16779 Carlitos Vargas

Chapter 7

Adv#: 6:17-01243 Vargas v. United States Department Of Education et al

#4.00

Hrg. on Defendant United States Department of Education Motion filed 8/2/18
Motion for Summary Judgment or Partial Summary Adjudication

(Cont. from 11/15/18)

Docket 29

***** VACATED *** REASON: Cont. to 3/7/19 @ 9:00 a.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Carlitos Vargas

Represented By
Todd L Turoci

Defendant(s):

United States Department Of

Represented By
Elan S Levey

Navient Corporation

Represented By
Robert S Lampl

Navient Credit Finance Corporation

Represented By
Robert S Lampl

Navient Solutions, Inc.

Represented By
Robert S Lampl

Education Credit Management

Represented By
Scott A Schiff

Joint Debtor(s):

Michelle Vargas

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 31, 2019

Hearing Room 225

9:00 AM

CONT... Carlitos Vargas

Chapter 7

Plaintiff(s):

Michelle Vargas

Represented By
Todd L Turoci

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 31, 2019

Hearing Room 225

9:00 AM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

#5.00

Hrg. on Confirmation of Second Amended chapter 11 plan

**(To be held in Courtroom 6C, 411 West Fourth Street, Santa Ana, CA
92701)**

Docket 0

***** VACATED *** REASON: Cont. to 3/21/19 @ 9:00 a.m. by order signed
on 1/28/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, January 31, 2019

Hearing Room 225

9:00 AM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

#6.00

Hrg. on creditor Havasu Lakehore Investments, LLC Motion filed 1/10/19 to Strike Supplemental Declarations of Terry L. Fleming, Jr. and Michael J. Vanderley

Docket 272

***** VACATED *** REASON: Cont. to 3/21/19 @ 9:00 a.m. by order signed on 1/28/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Thursday, January 31, 2019

Hearing Room 6C

9:00 AM

8:17-14089 Mohdsameer Aljanedi Dental Corporation

Chapter 11

#2.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 10/15/17)

FR: 12-20-17; 3-7-18; 5-30-18; 9-12-18; 10-24-18 at 9:00 a.m.;10-24-18

Docket 1

***** VACATED *** REASON: CONTINUED TO MARCH 21, 2019 AT
9:00 A.M. PER ORDER CONTINUING STATUS CONFERENCE ENTERED
1-25-19 - (Docket No. [190])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Mohdsameer Aljanedi Dental

Represented By
Andy C Warshaw
Richard L. Sturdevant

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, February 5, 2019

Hearing Room 225

9:00 AM

6:19-10456 RFS Sports, Inc.

Chapter 11

#1.00

Hrg. on Debtor's Motion filed 1/24/19 to Assume Lease or Executory Contract

(OST signed on 1/29/19)

Docket 7

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

RFS Sports, Inc.

Represented By
Javier H Castillo

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 6, 2019

Hearing Room 6C

9:00 AM

8:17-10559 Michael J Ervin

Chapter 7

Adv#: 8:17-01144 Itria Ventures, LLC v. Ervin

#1.00

TRIAL RE: Complaint Objecting To Dischargeability Of Debt
(Complaint filed 8/30/17) (PTC set at S/C held 6/27/18)
(Trial set at P/C held 11/28/18)

FR: 11-22-17; 3-7-18; 6-27-18; 11-28-18

Docket 1

***** VACATED *** REASON: OFF CALENDAR - PER ORDER
DISMISSING ADVERSARY PROCEEDING AND VACATING TRIAL
ENTERED 2-4-19 (DOCKET NO. [79])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael J Ervin

Represented By
Mark D Klein

Defendant(s):

Michael J Ervin

Pro Se

Plaintiff(s):

Itria Ventures, LLC

Represented By
Michael F Chekian

Trustee(s):

Karen S Naylor (TR)

Represented By
Burd & Naylor

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 6, 2019

Hearing Room 6C

2:00 PM

8:18-12104 William Anthony Wilson and Rebecca Lisette Koval

Chapter 13

#1.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 9-12-18; 10-24-18

Docket 2

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

William Anthony Wilson

Represented By
Anthony B Vigil

Joint Debtor(s):

Rebecca Lisette Koval

Represented By
Anthony B Vigil

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 6, 2019

Hearing Room 6C

2:00 PM

8:18-12820 Marc James Cooperstein

Chapter 13

#2.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 10-24-18; 11-16-18; 1-9-19

Docket 27

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Marc James Cooperstein

Represented By
Tina H Trinh

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 6, 2019

Hearing Room 6C

2:00 PM

8:18-13558 Lovert B. Hogai

Chapter 13

#3.00

CONT'D Hearing RE: Confirmation Of Chapter 13

FR: 12-12-18; 1-9-19

Docket 20

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lovert B. Hogai

Represented By
Matthew D. Resnik

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 6, 2019

Hearing Room 6C

2:00 PM

8:18-13848 Carl J. Strasky, III and Cynthia D. Strasky

Chapter 13

#4.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 12-12-18; 1-9-19

Docket 2

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Carl J. Strasky III

Represented By
Christine A Kingston

Joint Debtor(s):

Cynthia D. Strasky

Represented By
Christine A Kingston

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 6, 2019

Hearing Room 6C

2:00 PM

8:18-14189 Robert Matthew Coburn and Sharon Ann Young

Chapter 13

#5.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 1-9-19

Docket 2

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Robert Matthew Coburn

Represented By
Heather J Canning

Joint Debtor(s):

Sharon Ann Young

Represented By
Heather J Canning

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 6, 2019

Hearing Room 6C

2:00 PM

8:18-14204 Barbara Jo O'Brien

Chapter 13

#6.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 1-9-19

Docket 18

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Barbara Jo O'Brien

Represented By
Daniel King

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 6, 2019

Hearing Room 6C

2:00 PM

8:18-14377 Victor Gonzales and Angelita Gonzales

Chapter 13

#7.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Victor Gonzales

Represented By
Scott Dicus

Joint Debtor(s):

Angelita Gonzales

Represented By
Scott Dicus

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 6, 2019

Hearing Room 6C

2:00 PM

8:18-14390 Twyla Renee Channel

Chapter 13

#8.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 5

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Twyla Renee Channel

Represented By
Kahlil J McAlpin

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 6, 2019

Hearing Room 6C

2:00 PM

8:18-14470 Shahyar Zahedi and Shannon Denise Zahedi

Chapter 13

#9.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Shahyar Zahedi

Represented By
Anerio V Altman

Joint Debtor(s):

Shannon Denise Zahedi

Represented By
Anerio V Altman

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 6, 2019

Hearing Room 6C

2:00 PM

8:18-14535 Kirolous A. Awad and Maria Awad

Chapter 13

#10.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 6

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Kirolous A. Awad

Represented By
Tina H Trinh

Joint Debtor(s):

Maria Awad

Represented By
Tina H Trinh

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 6, 2019

Hearing Room 6C

2:00 PM

8:18-14546 Manuel Quintero Albrizo

Chapter 13

#11.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 13

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Manuel Quintero Albrizo

Represented By
Jaime A Cuevas Jr.

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 6, 2019

Hearing Room 6C

2:00 PM

8:18-14611 Deena Cousar Brown

Chapter 13

#12.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 2

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Deena Cousar Brown

Represented By
Brad Weil

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 6, 2019

Hearing Room 6C

2:00 PM

8:18-14647 James Ray Mcneil and Mackenzie Rain Mcneil

Chapter 13

#13.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 21

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

James Ray Mcneil

Represented By
William P White

Joint Debtor(s):

Mackenzie Rain Mcneil

Represented By
William P White

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 6, 2019

Hearing Room 6C

2:00 PM

8:18-14648 Stephen Lawrie

Chapter 13

#14.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 13

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Stephen Lawrie

Represented By
Andy C Warshaw

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 6, 2019

Hearing Room 6C

2:00 PM

8:18-14290 Malaquias Lopez

Chapter 13

#15.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL FOR FAILURE TO FILE SCHEDULES, STATEMENTS,
AND/OR PLAN ENTERED 12-17-18 - (Docket No. [10])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Malaquias Lopez

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar

Wednesday, February 6, 2019

Hearing Room 6C

2:00 PM

8:18-14364 Jason Nolan

Chapter 13

#16.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL FOR FAILURE TO FILE SCHEDULES, STATEMENTS,
AND/OR PLAN ENTERED 12-18-18 - (Docket No. [7])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jason Nolan

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 6, 2019

Hearing Room 6C

3:00 PM

8:14-12280 Steven Allen Frey

Chapter 13

#1.00

CONT'D Hearing RE: Trustee's Verified Motion To Dismiss Case Due To
Material Default Of A Plan Provision
(Motion filed 11/7/18)

FR: 1-9-19

Docket 161

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and dismiss the case.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Steven Allen Frey

Represented By
Christopher J Langley

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 6, 2019

Hearing Room 6C

3:00 PM

8:18-10245 Michael Anthony Ruffino and Brandy Bernadette Ruffino

Chapter 13

#2.00

Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding For Failure To Make Plan Payments [11 U.S.C. 1307(c)]
(Motion filed 11/8/18)
(Opposition filed 11/24/18)

Docket 37

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and dismiss the case.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Michael Anthony Ruffino

Represented By
Christopher J Langley

Joint Debtor(s):

Brandy Bernadette Ruffino

Represented By
Christopher J Langley

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 6, 2019

Hearing Room 6C

3:00 PM

8:18-12104 William Anthony Wilson and Rebecca Lisette Koval

Chapter 13

#3.00

CONT'D Hearing RE: Motion For Order Disallowing Claim:

Claim No. 6	Department Of Treasury Internal Revenue Service	\$165,232.41
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FR: 1-9-19

Docket 30

Tentative Ruling:

APPEARANCES REQUIRED.

In view of the partial government shutdown, at the request of the IRS, the Court will continue this hearing. If this matter has settled, the Court will ask the parties to describe the settlement.

Party Information

Debtor(s):

William Anthony Wilson

Represented By
Anthony B Vigil

Joint Debtor(s):

Rebecca Lisette Koval

Represented By
Anthony B Vigil

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 6, 2019

Hearing Room 6C

3:00 PM

8:15-15385 Lucina Macedo

Chapter 13

#4.00

Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13
Proceeding For Failure To Make Plan Payments
[11 U.S.C. 1307(c)]
(Motion filed 1/8/19) (Set Per Notice And Opposition filed 1/29/19)

Docket 65

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and dismiss the case.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Lucina Macedo

Represented By
Jaime A Cuevas Jr.

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Thursday, February 7, 2019

Hearing Room 6C

9:00 AM

8:17-10559 Michael J Ervin

Chapter 7

Adv#: 8:17-01144 Itria Ventures, LLC v. Ervin

#1.00

CONT'D TRIAL RE: Complaint Objecting To Dischargeability Of Debt
(Complaint filed 8/30/17) (PTC set at S/C held 6/27/18)
(Trial set at P/C held 11/28/18)

FR: 11-22-17; 3-7-18; 6-27-18; 11-28-18; 2-6-19

Docket 1

***** VACATED *** REASON: OFF CALENDAR - PER ORDER
DISMISSING ADVERSARY PROCEEDING AND VACATING TRIAL
ENTERED 2-4-19 - (DOCKET NO. [79])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael J Ervin

Represented By
Mark D Klein

Defendant(s):

Michael J Ervin

Pro Se

Plaintiff(s):

Itria Ventures, LLC

Represented By
Michael F Chekian

Trustee(s):

Karen S Naylor (TR)

Represented By
Burd & Naylor

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Friday, February 8, 2019

Hearing Room 6C

9:00 AM

8:15-13556 John Olaf Halvorson

Chapter 7

#1.00

Hearing RE: Motion To Continue February 25, 2019 Claim Objection Hearing
(1) Until The District Court's Determination Of The Trustee's Substitution Motion
Or (2), Alternatively, To Provide The Baek Parties Sufficient Time To Seek
Relief In The District Court
(Motion filed 2/1/19)
(Set per OST Entered 2/4/19)

Docket 337

Party Information

Debtor(s):

John Olaf Halvorson

Represented By
Marc C Forsythe
Charity J Manee

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Reem J Bello
Faye C Rasch
Jeffrey I Golden

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, February 11, 2019

Hearing Room 6C

9:00 AM

8:17-10568 Jo Mabel Arias

Chapter 13

#1.00

Motion for relief from stay [Personal Property]

Toyota Motor Credit Corporation, Servicing Agent For Toyota Lease Trust vs.
DEBTOR
(Motion filed 1/17/19)

[RE: 2016 Lexus CT200H - VIN No.: JTHKD5BH4G2256880]

Docket 32

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2) and terminate the co-debtor stay.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Jo Mabel Arias

Represented By
Edward T Weber

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, February 11, 2019

Hearing Room 6C

9:00 AM

8:18-11759 Chester Davenport

Chapter 7

#2.00

Motion for relief from stay [Real Property]

Santander Bank, N.A., And Its Successors And/Or Assignees vs. DEBTOR
(Motion filed 1/18/19)

[RE: 6 Janes Cove Road, Edgartown, MA 02539]

Docket 231

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(2) only.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Chester Davenport

Represented By
Michael Jay Berger

Trustee(s):

Karen S Naylor (TR)

Represented By
Kathleen J McCarthy
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, February 11, 2019

Hearing Room 6C

2:00 PM

8:18-13522 Mohammad Ali Kharazmi

Chapter 11

#1.00

Hearing RE: Motion For Leave To Withdraw As Counsel For Mohammad Ali Kharazmi
(Motion filed 1/7/19)

Docket 47

***** VACATED *** REASON: OFF CALENDAR - CASE DISMISSED ON
1-28-19**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Mohammad Ali Kharazmi

Represented By
Leonard Pena

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, February 11, 2019

Hearing Room 6C

2:00 PM

8:18-14036 David K Toyota

Chapter 11

#2.00

Hearing RE: Motion By United States Trustee To Dismiss Or Convert Case Pursuant To 11 U.S.C. Section 1112(b)
(Motion filed 12/21/18)

Docket 18

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the U.S. Trustee's motion.

The Court will ask the U.S. Trustee, and secured creditor HSBC Bank, trustee, whether the case should be dismissed or converted to Chapter 7.

UNITED STATES TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

David K Toyota

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, February 12, 2019

Hearing Room 225

9:00 AM

6:08-14592 Empire Land, LLC

Chapter 7

#1.00

Hrg. on Motion by Glaser Weil Fink Howard Avchen & Shapiro LLP to Withdraw as special counsel to the trustee

Docket 2483

***** VACATED *** REASON: Notice of Withdrawal filed 1/24/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Empire Land, LLC

Represented By

James Stang

Robert M Saunders

Michael I Gottfried

----- O'melveny & Myers

Dean A Ziehl

Jonathan A Loeb

P Sabin Willett

Richard K Diamond (TR)

Jeffrey Rosenfeld

Trustee(s):

Richard K Diamond (TR)

Represented By

Michael I Gottfried

Richard S Berger - SUSPENDED -

Rodger M Landau

Richard K Diamond

Peter M Bransten

Aleksandra Zimonjic

Monica Rieder

Lisa N Nobles

Peter J Gurfein

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, February 12, 2019

Hearing Room 225

9:00 AM

CONT...

Empire Land, LLC

Chapter 7

Paul Hastings

Roye Zur

Amy Evans

Best Best & Krieger

Franklin C Adams

Thomas J Eastmond

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, February 12, 2019

Hearing Room 225

9:00 AM

6:17-18471 Daniel L Horkey and Carmela Horkey

Chapter 7

#2.00

Dillon Miller & Ahuja, LLP - movant attorney

Motion for Relief from Stay

US Bank National Association vs. DEBTORS
(Motion filed 1/10/19)

Re: ACTION IN NON-BANKRUPTCY FORUM RE: 5305 Bain Street, Mira
Loma, CA 91752

(Tele. appr. Timothy Dillon, rep. U.S. Bank)

Docket 80

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the request for judicial notice.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Daniel L Horkey

Represented By
Julie J Villalobos

Joint Debtor(s):

Carmela Horkey

Represented By
Julie J Villalobos

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, February 12, 2019

Hearing Room 225

9:00 AM

CONT... Daniel L Horkey and Carmela Horkey

Chapter 7

Trustee(s):

Robert Whitmore (TR)

Represented By
Caroline Djang

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, February 12, 2019

Hearing Room 225

9:00 AM

6:17-18471 Daniel L Horkey and Carmela Horkey

Chapter 7

#2.10

Law Offices of Austin P. Nagel - movant attorney

Motion for Relief from Stay

Wells Fargo Bank vs. DEBTORS
(Motion filed 1/10/19)

Re: 5305 Bain Street, Mira Loma, CA 91752

(Tele. appr. Austin P. Nagel, rep. creditor, Wells Fargo Bank)

Docket 79

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Daniel L Horkey

Represented By
Julie J Villalobos

Joint Debtor(s):

Carmela Horkey

Represented By
Julie J Villalobos

Trustee(s):

Robert Whitmore (TR)

Represented By
Caroline Djang

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, February 12, 2019

Hearing Room 225

9:00 AM

6:18-14202 Armando C Meras and Veronica Y Meras

Chapter 7

#3.00

Sissac Legal Group P.C. - movant attorney

Motion for Relief from Stay

Capital One Auto Finance vs. DEBTORS
(Motion filed 1/15/19)

Re: RE: 2014 NISSAN Altima 2.5 S Sedan 4D

Docket 40

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(2) only.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Armando C Meras

Represented By
Yoon O Ham

Joint Debtor(s):

Veronica Y Meras

Represented By
Yoon O Ham

Trustee(s):

John P Pringle (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, February 12, 2019

Hearing Room 225

9:00 AM

6:18-20347 Albert Ryan Jernegan

Chapter 7

#4.00

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

Motion for Relief from Stay

Santander Consumer USA Inc. vs. DEBTOR, Charles W. Daff, trustee
(Motion filed 1/11/19)

Re: 2017 Dodge Ram 1500, VIN 1C6RR7MT7HS795016

Docket 10

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Albert Ryan Jernegan

Represented By
Robert L Firth

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, February 12, 2019

Hearing Room 225

9:00 AM

6:18-20722 Destiny Reanna Smith

Chapter 7

#5.00

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

Motion for Relief from Stay

Santander Consumer USA Inc. vs. DEBTOR, John P. Pringle, trustee
(Motion filed 1/18/19)

Re: 2012 Volkswagen Jetta, VIN: 3VW2K7AJ7CM327609

Docket 7

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Destiny Reanna Smith

Represented By
Robert W Ripley

Trustee(s):

John P Pringle (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, February 12, 2019

Hearing Room 225

9:00 AM

6:18-20785 Afra Y Saad

Chapter 7

#6.00

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

Motion for Relief from Stay

CAB West, LLC vs. DEBTOR, Charles W. Daff, trustee
(Motion filed 1/17/19)

Re: 2018 Ford Escape, VIN: 1FMCU0GD3JUA04575

Docket 8

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Afra Y Saad

Represented By
Paul Y Lee

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, February 12, 2019

Hearing Room 225

9:00 AM

6:19-10215 Hassan Mehtar

Chapter 7

#7.00

Messina & Hankin, LLP - movant attorney

Motion for Relief from Stay

James A. Sanchez Jr vs. DEBTOR
(Motion filed 1/15/19)

Re: Sanchez et al vs. Kinton Inc, et al, docket no MCC 1700272

(Tele. appr. Evan L. Smith, rep. movant, James Sanchez)

Docket 8

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will overrule Debtor's evidentiary objections.

The Court will grant Debtor's request for judicial notice.

The Court will grant the motion under § 362(d)(1) so that the state court can proceed to liquidate claims against the Debtor.

Further, the Court will grant annulment and waive the 14-day stay.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Hassan Mehtar

Represented By
Sunil A Brahmhatt

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, February 12, 2019

Hearing Room 225

9:00 AM

CONT... Hassan Mehtar

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, February 12, 2019

Hearing Room 225

9:00 AM

6:19-10049 Pauline Copas

Chapter 7

#8.00

Law Office of Julian Bach - movant attorney

Motion for Relief from Stay

Rebecca Munoz, as Administrator of the Estate of Alejandro De Jesus Munoz
vs. DEBTOR

(Motion filed 1/22/19)

Re: 15985 Hawthorne Avenue, Fontana, California 92335

Docket 8

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Pauline Copas

Represented By
Neil R Hedtke

Movant(s):

REBECCA MUNOZ, as

Represented By
Julian K Bach

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, February 12, 2019

Hearing Room 225

2:00 PM

6:16-13150 Paul Gregory Katona and Gail Marie Katona

Chapter 7

#1.00

Hrg. on chapter 7 trustee's Motion filed 1/22/19 for Order: (1) Approving the Sale of Real Property of the Estate Free and Clear of Liens Pursuant to 11 U.S.C. §§ 363(b)(1) and (f), Subject to Overbids, Combined With Notice of Bidding Procedures and Request for Approval of the Bidding Procedures Utilized; (2) Approving Payment of Real Estate Commission and Other Costs; and (3) Granting Related Relief

Docket 66

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion; however, minimum bid increments in the event of an overbid shall be \$5,000 instead of \$1,000.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Paul Gregory Katona

Represented By
Douglas A Plazak

Joint Debtor(s):

Gail Marie Katona

Represented By
Douglas A Plazak

Trustee(s):

John P Pringle (TR)

Represented By
Lynda T Bui
Rika Kido
Brianna L Frazier

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, February 12, 2019

Hearing Room 225

2:00 PM

6:18-13918 Ruben Valdivia

Chapter 7

#2.00

Hrg. on Motion by Chapter 7 Trustee filed 1/16/19 to Disallow any Exemption Claimed in Real Property Recovered By the Trustee re: 474 & 476 S. Eastern Ave., Los Angeles, CA 90022

Docket 44

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and disallow the exemption in its entirety.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Ruben Valdivia

Pro Se

Trustee(s):

Larry D Simons (TR)

Represented By
Frank X Ruggier

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, February 12, 2019

Hearing Room 225

2:00 PM

6:18-14202 Armando C Meras and Veronica Y Meras

Chapter 7

#3.00

Hrg. on chapter 7 trustee's Motion filed 1/18/19 compelling turnover of
unscheduled estate property and documents

Docket 42

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Armando C Meras

Represented By
Yoon O Ham

Joint Debtor(s):

Veronica Y Meras

Represented By
Yoon O Ham

Trustee(s):

John P Pringle (TR)

Represented By
Toan B Chung

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, February 12, 2019

Hearing Room 225

2:00 PM

6:18-14088 Julio Melchor Menendez

Chapter 7

#4.00

Hrg. on Motion of Trustee for Order: (1) Disallowing Debtors Amended Homestead Exemption; and (2) Allowing Debtor a Homestead Exemption in a Reduced Amount and as to a Portion of Land and One Mobile Home

Docket 50

Tentative Ruling:

APPEARANCES REQUIRED.

The Court grants the Trustee's request for judicial notice. The Court grants the Debtor's request for judicial notice.

The Court will deny the motion without prejudice as to the horse corrals. Fences for holding horses would seem on first impression to be appurtenant to the land and therefore would appear to be part of the homestead. In any event, the Trustee, having the burden of proof by a preponderance of the evidence, has not made a sufficient showing that the horse corrals are not part of the homestead for purposes of California homestead exemption law or that the renting of appurtenant property removes that property from the scope of the homestead exemption. (For example, consider a case where a person in an ordinary California suburb lives in a house and rents a standalone garage on the same lot to a third party. Does this take the garage out of the homestead exemption?)

The Trustee would seem to have a stronger argument that the Jayco travel trailer and the other mobile home, rented by Ernesto Lopez, that has an address of 22982 Deprad, Perris, California fall outside the scope of the homestead exemption. However, the Trustee has failed to show through a citation of applicable case and statutory authorities that California law excludes these properties from the scope of the homestead exemption. This aspect of the motion is also denied without prejudice.

The Trustee has failed to rebut Debtor's sworn testimony through her Declaration that

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, February 12, 2019

Hearing Room 225

2:00 PM

CONT... Julio Melchor Menendez

Chapter 7

she suffers from various symptoms and side effects associated with HIV and the medication needed to inhibit the progression of HIV. These symptoms include chronic exhaustion and fatigue, severe headaches, aching muscles and joint pain. The Trustee has failed to show that Debtor does not suffer from these conditions or that, notwithstanding these conditions, Debtor is able to hold down and perform a full-time job or that Debtor is not a person who is "physically or mentally disabled who as a result of that disability is unable to engage in substantial gainful employment."

Although the Trustee emphasizes that Debtor has substantial rental income from the trailers and the horse corrals on her property, the plain language of California Code of Civil Procedure 704.730(a)(3)(B) contains no carve out that would deprive an otherwise disabled individual from the benefits of the enhanced exemption merely because such individual has income from other sources besides gainful employment.

The aspect of the motion in which the Trustee argues that the enhanced exemption should be denied because Debtor is able to engage in substantial gainful employment or that her rental income should be taken into account in determining eligibility for the enhanced exemption is denied with prejudice.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Julio Melchor Menendez

Represented By
John F Brady

Trustee(s):

Karl T Anderson (TR)

Represented By
Robert A Hessling

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 13, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01202 Official Committee Of Unsecured Creditors v. Central Ink Corporation

#1.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint For Avoidance
And Recovery Of Preferential Transfers Pursuant To 11 U.S.C. Sections 547
And 550

(Complaint filed 10/26/17)

(PTC set at S/C held 6-6-18)

FR: 4-4-18; 6-6-18

Docket 1

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF
DISMISSAL WITH PREJUDICE FILED 8-27-18 - (Docket No. [36])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By

William N Lobel

Beth Gaschen

Alan J Friedman

Christopher J Green

Caroline Djang

Scott D Fink

Reed M Mercado

Defendant(s):

Central Ink Corporation

Pro Se

Plaintiff(s):

Official Committee Of Unsecured

Represented By

Andrew W Caine

Jeffrey P Nolan

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 13, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01211 Official Committee Of Unsecured Creditors v. RDI Marketing Services, Inc.

#2.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint For Avoidance
And Recovery Of Preferential Transfers Pursuant To 11 U.S.C. Sections 547
And 550

(Complaint filed 10/26/17)

(PTC set at S/C held 6/6/18)

FR: 4-4-18; 6-6-18

Docket 1

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF
DISMISSAL WITH PREJUDICE FILED 1-30-19 - (DOCKET NO. [13])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By

William N Lobel

Beth Gaschen

Alan J Friedman

Christopher J Green

Caroline Djang

Scott D Fink

Reed M Mercado

Defendant(s):

RDI Marketing Services, Inc.

Pro Se

Plaintiff(s):

Official Committee Of Unsecured

Represented By

Andrew W Caine

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 20, 2019

Hearing Room 6C

9:00 AM

8:18-10203 Phillip Barry Greer

Chapter 7

Adv#: 8:18-01069 Marshack et al v. Biden

#1.00

CONT'D Hearing RE: Motion Of Plaintiff Chriss W. Street For Order Consolidating Adversary Proceedings For All Purposes, Including Trial (Motion filed 10/25/18)

[RE: Case 8:18-ap-01069-MW with 8:18-ap-01075-MW]

FR: 12-19-18; 1-23-19

Docket 20

***** VACATED *** REASON: CONTINUED TO MAY 8, 2019 AT 9:00 A.M. PER ORDER ENTERED 2-6-19 - (DOCKET NO. [45])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Phillip Barry Greer

Pro Se

Defendant(s):

Arlene C Biden

Represented By
Phillip Greer

Plaintiff(s):

Richard A Marshack

Represented By
Ryan D ODea

Chriss W. Street

Represented By
Timothy C Aires

Trustee(s):

Richard A Marshack (TR)

Represented By
James C Bastian Jr
Ryan D ODea

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 20, 2019

Hearing Room 6C

9:00 AM

CONT... Phillip Barry Greer

Chapter 7

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 20, 2019

Hearing Room 6C

9:00 AM

8:18-10203 Phillip Barry Greer

Chapter 7

Adv#: 8:18-01069 Marshack et al v. Biden

#2.00

CONT'D STATUS CONFERENCE Hearing RE: Chapter 7 Trustee's First Amended Complaint For:

- (1) Avoidance And Recovery Of Fraudulent Transfer;
 - (2) Constructive Trust;
 - (3) Declaratory Relief;
 - (4) Turnover Of Estate Property; And
 - (5) Authorization To Sell Entirety Of Real Property
- Regarding Real Property Located At 19 Bridgeport Road, Newport Coast, California
(First Amended Complaint filed 12/14/18)

FR: 1-23-19

Docket 27

***** VACATED *** REASON: CONTINUED TO MAY 8, 2019 AT 9:00
A.M. PER ORDER CONTINUING STATUS CONFERENCE ENTERED 2-
6-19 - (DOCKET NO. [45])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Phillip Barry Greer

Pro Se

Defendant(s):

Arlene C Biden

Represented By
Phillip Greer

Plaintiff(s):

Richard A Marshack

Represented By
Ryan D ODea

Chriss W. Street

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 20, 2019

Hearing Room 6C

9:00 AM

CONT... Phillip Barry Greer

Chapter 7

Timothy C Aires

Trustee(s):

Richard A Marshack (TR)

Represented By
James C Bastian Jr
Ryan D ODea

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 20, 2019

Hearing Room 6C

9:00 AM

8:18-10203 Phillip Barry Greer

Chapter 7

Adv#: 8:18-01075 Street v. Greer et al

#3.00

Hearing RE: Motion Of Plaintiff Chriss W. Street For Order Consolidating Adversary Proceedings For All Purposes, Including Trial (Motion filed 10/25/18)

[RE: Case 8:18-ap-01069-MW with 8:18-ap-01075-MW]

Docket 57

***** VACATED *** REASON: CONTINUED TO MAY 8, 2019 AT 9:00 A.M. PER ORDER CONTINUING HEARING ON MOTION TO CONSOLIDATE ENTERED 2-6-19 - (DOCKET NO. [84])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Phillip Barry Greer

Pro Se

Defendant(s):

Phillip Barry Greer

Represented By
Phillip Greer

Richard A. Marshack

Represented By
Ryan D ODea

Plaintiff(s):

Chriss W. Street

Represented By
Timothy C Aires

Trustee(s):

Richard A Marshack (TR)

Represented By
James C Bastian Jr
Ryan D ODea

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 20, 2019

Hearing Room 6C

9:00 AM

CONT... Phillip Barry Greer

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, February 21, 2019

Hearing Room 225

9:00 AM

:
Adv#: 6:18-01236 Fleming, Sr v. Havasu Lakeshore Investments

Chapter 0

#1.00

STATUS CONFERENCE re: complaint to determine validity, priority and extent of liens(s), for Declaratory Relief, and for Equitable Subordination

Docket 0

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will issue a scheduling order:

1. All discovery shall close on August 31, 2019.
2. All discovery motions shall be heard before September 30, 2019.
3. All pretrial motions shall be heard before October 31, 2019.
4. Pretrial conference is set for November 7, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Defendant(s):

Havasu Lakeshore Investments

Represented By
Martin A Eliopoulos
Gregory M. Garrison

Plaintiff(s):

Terry Lee Fleming Sr

Represented By
James E Till

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, February 21, 2019

Hearing Room 225

9:00 AM
CONT...

Chapter 0

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, February 21, 2019

Hearing Room 225

9:00 AM

6:15-14464 AVT, Inc.

Chapter 7

Adv#: 6:17-01158 Daff v. Jofemar USA, Inc.

#2.00

STATUS CONFERENCE re: Complaint by Charles W Daff against Jofemar USA, Inc.. (Charge To Estate). Chapter 7 Trustees Complaint For: 1. Avoidance Of Preferential Transfers Pursuant To 11 U.S.C. §§ 547; And 550; 2. Recovery Of Avoided Preferential Transfers Pursuant To 11 U.S.C. §§ 547 And 550 Nature of Suit: (12 (Recovery of money/property - 547 preference)),(14 (Recovery of money/property - other))

(Cont from 1/10/19)

Docket 1

***** VACATED *** REASON: Dismissal of adversary case filed by Plaintiff pursuant to Rule 41 of F.R.C.P. on 2/19/19 - jc**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

AVT, Inc.

Pro Se

Defendant(s):

Jofemar USA, Inc.

Represented By
Kyra E Andrassy

Plaintiff(s):

Charles W Daff

Represented By
Cathrine M Castaldi
Samuel A Moniz

Trustee(s):

Charles W Daff (TR)

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, February 21, 2019

Hearing Room 225

9:00 AM

CONT...

AVT, Inc.

Cathrine M Castaldi
Samuel A Moniz

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, February 21, 2019

Hearing Room 225

9:00 AM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

Adv#: 6:17-01273 Havasu Lakeshore Investments v. Fleming, Jr et al

#3.00

PRE-TRIAL CONFERENCE Hearing RE: lawsuit pending in State Court to
Bankruptcy Court
(Notice of Removal filed 12/13/17)

**[RE: Superior Court Of The State Of California For The County Of Orange,
Case No 30-2015-00805846-CU-FRCJC]
[Case: Havasu Lakeshore Investments, LLC v. Terry L. Fleming, Sr. et al.,]**

(Tele. appr. Martin Eliopulos, rep. Havasu)

Docket 0

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

Local Bankruptcy Rule 7016-1c(2) provides in relevant part that "plaintiff must serve the proposed pretrial stipulation in such manner so that it will actually be received by the office of counsel for all other parties . . . not later than 4 p.m. on the 7th day prior to the last day for filing or lodging . . the proposed pretrial stipulation."

Here, the last day for filing the proposed pretrial stipulation (or order) was February 7, 2019 -- 14 days before the February 21 pretrial conference. LBR 7016-1(b)(1)(B). Seven days before February 7 is Thursday, January 31, 2019. Thus, plaintiff was required to serve a copy of the proposed pretrial stipulation or order on defendant Fleming, Sr. on or before January 31, 2019.

The Declaration of James E. Till Pursuant to Local Rule 7016-1e(2), Docket No. 54,

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, February 21, 2019

Hearing Room 225

9:00 AM

CONT... Terry Lee Fleming, Sr

Chapter 11

filed February 7, 2019, states that counsel for plaintiff did not serve a draft pretrial stipulation on defendant's counsel "until after 2:00 p.m. on Tuesday, February 5, 2019" – six days late, in other words.

Unless countervailing evidence is presented to the Court, the Court will determine that plaintiff Havasu Lakeshore Investments, LLC has materially failed to comply with Local Bankruptcy Rule 7016-1c(2). The Court previously warned the parties, both orally and in writing, that a material failure to comply with this Local Bankruptcy Rule could lead the Court to impose severe sanctions, such as entry of a judgment of dismissal or the striking of the answer and the entry of a default.

The Court will forbear from imposing such a severe sanction here. However, the Court will accept and approve for entry the proposed pretrial order lodged by defendant Fleming, Sr.

Defendant Fleming, Sr.'s chapter 11 case has essentially boiled down into a two party-dispute between Mr. Fleming and certain members of his family on one hand and Havasu Lakeshore Investments, LLC on the other hand. Before the parties embark on an expensive and time-consuming continuation of the chapter 11 case and related adversary proceedings, it may be worthwhile to take a step back and consider whether all these disputes can be resolved through mediation. The Court will consider staying the chapter 11 case and related adversary proceedings to allow mediation to take place and conclude and will ask the parties for their views on the merits of mediation.

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

Defendant(s):

Terry Lee Fleming Sr

Represented By
James E Till

Havasu Landing LLC

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, February 21, 2019

Hearing Room 225

9:00 AM

CONT... Terry Lee Fleming, Sr

Chapter 11

Michael B Reynolds

Patricia Wilson-Fleming

Represented By
Randall S Waier

Terry Lee Fleming Jr

Represented By
Michael B Reynolds

Plaintiff(s):

Havasu Lakeshore Investments

Represented By
Martin A Eliopoulos

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, February 21, 2019

Hearing Room 225

9:00 AM

6:18-13196 Sunpro Solar Inc.

Chapter 11

#4.00

Hrg. on Chapter 11 Status Conference

(Cont. from 10/25/18)

Docket 0

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the status conference to March 14, 2019 at 2:00 p.m.

No status report is required for this status conference.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Sunpro Solar Inc.

Represented By
Robert B Rosenstein

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, February 21, 2019

Hearing Room 225

9:00 AM

6:18-16573 Shelly Lynn Tholander-Turner
Adv#: 6:18-01229 Grobstein v. Humphries

Chapter 7

#5.00

STATUS CONFERENCE re: Complaint by Howard B. Grobstein against Suzanne Humphries. (Charge To Estate). (\$350.00) - Complaint for: (1) Avoidance of Fraudulent Transfer; (2) Recovery of Avoided Transfers; (3) for Declaratory Relief; and (4) Turnover of Property - Nature of Suit: (11 (Recovery of money/property - 542 turnover of property)),(13 (Recovery of money/property - 548 fraudulent transfer)),(14 (Recovery of money/property - other))

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will order this adversary proceeding into mediation. The parties shall file a mediation stipulation and lodge a proposed order thereon on or before March 31, 2019.

Next status conference: June 20, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Shelly Lynn Tholander-Turner

Represented By
Robert L Firth

Defendant(s):

Suzanne Humphries

Represented By
George A Bilal

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, February 21, 2019

Hearing Room 225

9:00 AM

CONT... Shelly Lynn Tholander-Turner

Chapter 7

Plaintiff(s):

Howard B. Grobstein

Represented By
Anthony A Friedman

Trustee(s):

Howard B Grobstein (TR)

Represented By
Anthony A Friedman

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, February 21, 2019

Hearing Room 225

9:00 AM

6:18-16636 Littlefield Physical Therapy, Inc.

Chapter 11

#6.00

Hrg. on Chapter 11 Status Conference

(Cont. from 1/24/19)

Docket 0

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Littlefield Physical Therapy, Inc.

Represented By
Evan L Smith

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, February 21, 2019

Hearing Room 225

9:00 AM

6:18-17439 Robert Mansour Hamzey, Jr.

Chapter 7

Adv#: 6:18-01221 Hardt, Jr v. Hamzey, Jr. et al

#7.00

Hrg. on Defendants' Motion to Dismiss Adversary Proceeding

Docket 15

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion with limited leave to amend on or before March 21, 2019.

Only a trustee can bring an action under 11 U.S.C. § 548. This count of the complaint is dismissed without leave to amend.

As to the remainder of the complaint, the plaintiff fails to allege that Pacific Shores Escrow is a sole proprietorship or that defendant would otherwise be liable for its acts.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Robert Mansour Hamzey Jr.

Represented By
Daniel C Sever

Defendant(s):

Robert Mansour Hamzey Jr.

Represented By
Daniel C Sever

Marie Ann Hamzey

Represented By
Daniel C Sever

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, February 21, 2019

Hearing Room 225

9:00 AM

CONT... Robert Mansour Hamzey, Jr.

Chapter 7

Joint Debtor(s):

Marie Ann Hamzey

Represented By
Daniel C Sever

Movant(s):

Robert Mansour Hamzey Jr.

Represented By
Daniel C Sever

Marie Ann Hamzey

Represented By
Daniel C Sever

Plaintiff(s):

William Joseph Hardt Jr

Pro Se

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, February 21, 2019

Hearing Room 225

10:00 AM

6:18-18106 Ivan Villalpando and Fernanda Villalpando

Chapter 7

#1.00

Hrg. on approval Reaffirmation Agreement filed 12/26/18 Between Debtor and Golden 1 Credit Union, in the amount of \$27,872.62

Re: 2017 Honda Accord

Docket 13

***** VACATED *** REASON: Attorney to refile document with attorney signature - jc**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Ivan Villalpando

Represented By
Todd L Turoci

Joint Debtor(s):

Fernanda Villalpando

Represented By
Todd L Turoci

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, February 21, 2019

Hearing Room 225

10:00 AM

6:18-19024 Robert Daniel Cox and Sally Ann Cox

Chapter 7

#2.00

Hrg. on Approval of Reaffirmation Agreement Between Debtor and OneMain Financial, in the amount of \$11,277.13

Re: 2012 Honda CR-V

Docket 14

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtors' best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Robert Daniel Cox

Represented By
Ronald W Ask

Joint Debtor(s):

Sally Ann Cox

Represented By
Ronald W Ask

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, February 21, 2019

Hearing Room 225

10:00 AM

6:18-19024 Robert Daniel Cox and Sally Ann Cox

Chapter 7

#3.00

Hrg. on Approval of Reaffirmation Agreement Between Debtor and OneMain Financial, in the amount of \$25,773.20

Re: 2012 Honda Odyssey

Docket 15

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtors' best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Robert Daniel Cox

Represented By
Ronald W Ask

Joint Debtor(s):

Sally Ann Cox

Represented By
Ronald W Ask

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, February 21, 2019

Hearing Room 225

10:00 AM

6:18-19791 Cristine Carolyn Foster and Kevin Maurice Foster

Chapter 7

#4.00

Hrg. on Approval of Reaffirmation Agreement Between Debtor and CarFinance Capital a Flagship Credit Company, in the amount of \$9,929.54

Re: 2016 Hyundai Elantra

Docket 23

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtors' best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Cristine Carolyn Foster	Pro Se
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Joint Debtor(s):

Kevin Maurice Foster	Pro Se
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Trustee(s):

Charles W Daff (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, February 21, 2019

Hearing Room 225

10:00 AM

6:18-20138 Josue Waldemar Palencia Diaz

Chapter 7

#5.00

Hrg. on Approval of Reaffirmation Agreement filed 1/14/19 Between Debtor and Toyota Motor Credit Corporation, in the amount of \$7,274.82

Re: 2013 Toyota Corolla

Docket 10

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Josue Waldemar Palencia Diaz

Represented By
Marlin Branstetter

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, February 25, 2019

Hearing Room 6C

9:00 AM

8:18-14339 Anthony Lee Montoya

Chapter 7

#1.00

Motion for relief from stay [Personal Property]

Ford Motor Credit Corporation vs. DEBTOR, And Thomas H. Casey, Trustee
(Motion filed 1/8/19)

[RE: 2016 Ford F150 - VIN No.: 1FTEW1CG9GKE16744]

Docket 9

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Anthony Lee Montoya

Represented By
James P Doan

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, February 25, 2019

Hearing Room 6C

9:00 AM

8:18-14647 James Ray Mcneil and Mackenzie Rain Mcneil

Chapter 13

#2.00

Hearing RE: Motion In Individual Case For Order Imposing A Stay Or Continuing The Automatic Stay As The Court Deems Appropriate
(Motion filed 1/9/19)
(OST Denied 1/10/19)

Docket 28

***** VACATED *** REASON: OFF CALENDAR; VOLUNTARY
DISMISSAL OF MOTION FILED 2-5-19 (DOCKET NO. [41]) AND
DEBTOR'S REQUEST FOR VOLUNTARY DISMISSAL FILED 2-5-19 -
(DOCKET NO. [42])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

James Ray Mcneil

Represented By
William P White

Joint Debtor(s):

Mackenzie Rain Mcneil

Represented By
William P White

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, February 25, 2019

Hearing Room 6C

9:00 AM

8:17-13687 Michael Carlisle and Elizabeth Carlisle

Chapter 13

#3.00

Motion for relief from stay [Real Property]

U.S. Bank National Association, Not In Its Individual Capacity But Solely As Trustee For The RMAC Trust, Series 2016-CIT vs. DEBTORS
(Motion filed 1/24/19)

[RE: 25622 Chrisanta Drive, Mission Viejo, California 92691]

Docket 43

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Michael Carlisle

Represented By
Julie J Villalobos

Joint Debtor(s):

Elizabeth Carlisle

Represented By
Julie J Villalobos

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, February 25, 2019

Hearing Room 6C

9:00 AM

8:15-11317 Crystal Evette Cullors

Chapter 13

#4.00

Motion for relief from stay [Real Property]

JPMorgan Chase Bank, National Association vs. DEBTOR
(Motion filed 1/23/19)

[RE: 754 S. Stone Harbor Circle, No.8, La Habra, California 90631]

Docket 49

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Crystal Evette Cullors

Represented By
Julie J Villalobos

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, February 25, 2019

Hearing Room 6C

9:00 AM

8:17-12759 Bette Mae Doremus and Wilmington Savings Fund Society,

Chapter 13

#5.00

Motion for relief from stay [Real Property]

Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, Not Individually
But As Trustee For Hilldale Trust vs. DEBTOR
(Motion filed 1/28/19)

[RE: 835 Amigos Way, No. 15, Newport Beach, CA 92660-4563]

Docket 98

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Bette Mae Doremus

Represented By
Christopher J Langley

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, February 25, 2019

Hearing Room 6C

9:00 AM

8:19-10274 Gabriel Garcia

Chapter 13

#6.00

Hearing

RE: Motion In Individual Case For Order Imposing A Stay Or Continuing The Automatic Stay As The Court Deems Appropriate
(Motion filed 1/29/19)

[RE: 405 N. Seranado Street, Orange, CA 92869]

Docket 6

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Gabriel Garcia

Represented By
Jaime A Cuevas Jr.

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, February 25, 2019

Hearing Room 6C

9:00 AM

8:18-10560 Makali'i Paige Pawasarat

Chapter 13

#7.00

Motion for relief from stay [Real Property]

Wilmington Trust, National Association, Not In Its Individually Capacity, But Solely As Trustee For MFRA Trust 2016-1, Its Assignees And/Or Successors vs. DEBTOR
(Motion filed 1/30/19)

[RE: 22496 Lake Forest Lane, Lake Forest, CA 92630]

Docket 42

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Makali'i Paige Pawasarat

Represented By
Christopher J Langley

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, February 25, 2019

Hearing Room 6C

9:00 AM

8:19-10162 Heriberto Marin

Chapter 7

#8.00

Motion In Individual Case For Order Confirming Termination Of Stay Under 11 U.S.C. 362(c)(3) Or That No Stay Is In Effect Under 11 U.S.C. 362(c)(4)(A)(ii) (Motion filed 1/31/19)

Docket 10

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Heriberto Marin

Represented By
Frank P Peterson

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, February 25, 2019

Hearing Room 6C

9:00 AM

8:19-10098 Marsha Loraine Lewis

Chapter 13

#9.00

Motion for relief from stay [Real Property]
Motion filed 1/31/19)

[RE: 80 Grant, Irvine, CA 92620-3356]

Docket 11

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL FOR FAILURE TO FILE SCHEDULES, STATEMENTS,
AND/OR PLAN ENTERED 1-28-19 - (DOCKET NO. [9])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Marsha Loraine Lewis

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, February 25, 2019

Hearing Room 6C

9:00 AM

8:18-13558 Lovert B. Hogai

Chapter 13

#10.00

Motion for relief from the automatic stay [REAL PROPERTY]

Lakeside Park Community Association vs. DEBTOR
(Motion filed 2/4/19)

[RE: 24806 Lakefield Street - Lake Forest, CA 92630]

Docket 46

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL ARISING FROM CHAPTER 13 CONFIRMAITON
HEARING ENTERED 2-11-19 - (DOCKET NO. [52])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lovert B. Hogai

Represented By
Matthew D. Resnik

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, February 25, 2019

Hearing Room 6C

2:00 PM

8:15-13556 John Olaf Halvorson

Chapter 7

#1.00

Hearing RE: Chapter 7 Trustee's Motion For Order Disallowing Claim Pursuant To 11 U.S.C. Section 502 (Motion filed 1/15/19):

Claim No. 14-2 Dan Halvorson \$519,079.10

Docket 331

***** VACATED *** REASON: OFF CALENDAR PER ORDER
GRANTING STIPULATION TO (1) VACATE CLAIM OBJECTION
HEARING FOR LATER RESETTING AND (2) VACATE HEARING ON
CONTINUANCE MOTION ENTERED 2-6-19 - (DOCKET NO. [347])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

John Olaf Halvorson

Represented By
Marc C Forsythe
Charity J Manee

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Reem J Bello
Faye C Rasch
Jeffrey I Golden

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, February 25, 2019

Hearing Room 6C

2:00 PM

8:18-11759 Chester Davenport

Chapter 7

#2.00

Hearing RE: Motion To Reconsider Order Entered On November 30, 2018 On Partners Investment, Motion To Extend Deadline To File Complaint For Nondischargeability Of Debt (Motion filed 11/30/18) (Set per Order Entered 1/8/19)

Docket 186

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the Supplemental Request for Judicial Notice filed by creditor Eastwest Partners Investment, LLC ("Eastwest").

By order filed and entered August 31, 2018 (the "August 31 Order"), the Court extended the deadline for filing an adversary complaint under 11 U.S.C. § 523 against chapter 7 debtor Chester Davenport ("Debtor") to October 27, 2018. At the eleventh hour, Eastwest filed a motion on October 27, 2018 for a 30 day extension of time to file a complaint against Debtor under 11 U.S.C. § 523, citing Federal Rule of Bankruptcy Procedure 4004(b) in support thereof – thus confusing the distinction between a complaint seeking relief under 11 U.S.C. § 523 with a complaint seeking relief under 11 U.S.C. § 727. The Court denied the motion because it lacked proper support.

Eastwest argues that what occurred was a mere typographical error and that it should be afforded reconsideration relief under Rule 60(b) based upon excusable neglect. Eastwest asserts that it prepared its motion in haste, leading it to mistakenly cite in support of its motion Federal Rule of Bankruptcy Procedure 4004(b) instead of Federal Rule of Bankruptcy Procedure 4007(c).

It is clear to the Court that what occurred was not the slip of a finger of a person using

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, February 25, 2019

Hearing Room

6C

2:00 PM

CONT... Chester Davenport

Chapter 7

a word processor-computer but instead a misreading by Eastwest of the Federal Rules of Bankruptcy Procedure. Such a misreading, nevertheless, could well constitute excusable neglect and provide a basis for the Court to reconsider its order denying Eastwest's motion. The Court can understand how a party acting in great haste to meet the October 27, 2018 deadline could make such an error.

Accordingly, the Court grants the motion for reconsideration and extends the deadline for Eastwest to commence a section 523 action against Debtor by a period of 30 days from October 27, 2018.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Chester Davenport

Represented By
Michael Jay Berger

Trustee(s):

Karen S Naylor (TR)

Represented By
Kathleen J McCarthy
Thomas H Casey

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 5B Calendar

Monday, February 25, 2019

Hearing Room 5B

2:00 PM

8:18-11997 QDOS, Inc

Chapter 11

#3.00

Hearing RE: Motion For (i) Deferral Of Consideration Of Debtor's Attorney's Fees And Costs; And (ii) Approval Of Statement Of Evidence
(Motion filed 12/13/18)

FR:1/28/19

Docket 108

*** VACATED *** REASON: OFF CALENDAR - PER ORDER RE
PETITIONING CREDITORS' MOTION FILED DECEMBER 13, 2018 -
(DOCKET NO. [114])

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

QDOS, Inc

Represented By
Damian D Capozzola

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, February 25, 2019

Hearing Room 6C

2:00 PM

8:12-13144 Hector Antonio Alvarado

Chapter 11

#4.00

Hearing RE: Motion For Clarification Of The Confirmed Chapter 11 Plan
(Motion filed 1/23/19)

Docket 268

Tentative Ruling:

APPEARANCES REQUIRED.

Debtor Hector A. Alvarado ("Debtor") and the predecessor in interest of creditor Wells Fargo Home Mortgage ("Wells Fargo") entered into a stipulation on or about September 16, 2013 providing for the treatment under a chapter 11 plan of Wells Fargo's secured claim. Pursuant to the stipulation, Wells Fargo was to have a secured claim of \$315,000 and to be paid in full at 5 percent per annum interest, amortized over 30 years. The Stipulation also contained a provision that the terms of the stipulation could not be modified, altered or changed by the chapter 11 plan or any order confirming the plan.

The Court approved the stipulation by order filed and entered September 17, 2013 but added an important proviso: the chapter 11 plan could not simply incorporate the terms of the stipulation (or the order approving the stipulation) by reference but instead "must set forth the terms of the Stipulation in the plan of reorganization *in haec verba* (it being the Court's intention that any person reading the plan of reorganization will be able to understand the treatment of Class 5(f) without having to obtain and review any writing outside the plan of reorganization)."

Debtor's Fourth Amended Plan set forth the treatment of Wells Fargo's claim *in haec verba* but in a manner different than that set forth in the stipulation. Specifically, Wells Fargo was to have a secured claim of \$265,000 to be amortized over 30 years at 4.5 percent interest. The Court confirmed the Fourth Amended Plan on October 18, 2013. The Court entered an order discharging the Debtor and closing the bankruptcy

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, February 25, 2019

Hearing Room 6C

2:00 PM

CONT... **Hector Antonio Alvarado**
case on February 25, 2016.

Chapter 11

Wells Fargo now moves for an order "clarifying" the terms of the confirmed chapter 11 plan to increase the amount of its secured claim from \$265,000 to \$315,000 and increasing the interest rate from 4.5 percent to 5 percent. Wells Fargo argues that Debtor violated contract law when he unilaterally altered the plan terms in the Fourth Amended Plan.

11 U.S.C. § 1127(b) permits the modification of a confirmed chapter 11 plan only if the plan has not yet been substantially consummated. Here, there is no question but that the plan was substantially consummated years ago and that the time is long past where a motion to modify could be properly entertained. Wells Fargo essentially concedes these points and therefore asks for a clarification of the plan as opposed to a modification.

The terms of the Fourth Amended Plan as concern Wells Fargo are clear and unambiguous. There is nothing to "clarify." Wells Fargo had a full and fair opportunity to challenge the treatment of its claim at the time the Court held the plan confirmation hearing. It failed to do so.

The Motion is denied.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Hector Antonio Alvarado

Represented By
Michael D Franco

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, February 25, 2019

Hearing Room 6C

2:00 PM

8:19-10058 Joy Omoderi Amagboruju Miles

Chapter 11

#5.00

Hearing RE: Motion In Individual Chapter 11 Case For Order Authorizing Use
Of Cash Collateral
(Motion filed 1/25/19)

Docket 12

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Joy Omoderi Amagboruju Miles

Represented By
Onyinye N Anyama

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, February 26, 2019

Hearing Room 225

9:00 AM

6:18-16708 Domingo Corona

Chapter 7

#1.00

Vanlochen & Associates LLP - movant attorney

Motion for Relief from Stay

Nissan Motor Acceptance Corporation vs. DEBTOR
(Motion filed 1/17/19)

Re: 2015 NISSAN ALTIMA, VIN # 1N4AL3AP2FC598162

Docket 20

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Domingo Corona

Represented By
Daniel King

Trustee(s):

John P Pringle (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, February 26, 2019

Hearing Room 225

9:00 AM

6:18-18943 Wayne Morris and Celia Morris

Chapter 7

#2.00

Aldridge Pite, LLP - movant attorney

Motion for Relief from Stay

U.S. Bank National Association vs. DEBTORS
(Motion filed 2/5/19)

Re: 9 Bella Donaci, Lake Elsinore, California 92532

Docket 29

***** VACATED *** REASON: Renotice for 3/12/19 @ 9:00 a.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Wayne Morris

Represented By
Michael A Cisneros

Joint Debtor(s):

Celia Morris

Represented By
Michael A Cisneros

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, February 26, 2019

Hearing Room 225

2:00 PM

6:15-21881 Issa Ibrahim Awad

Chapter 7

Adv#: 6:16-01247 Western Union Financial Services, Inc. v. Awad

#1.00

STATUS CONFERENCE re: Complaint by Western Union Financial Services, Inc. against Issa Ibrahim Awad. fraud as fiduciary, embezzlement, larceny)),(68 (Dischargeability - 523(a)(6), willful and malicious injury)),(62 (Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud))

(Cont. from 12/4/18)

Docket 1

***** VACATED *** REASON: Stipulation for entry of judgment filed
12/11/18 - jc**

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will set this matter over for trial on Monday, February 4, 2019 at 9:00 a.m. Trial shall last one day, commencing at 9:00 a.m., going to noon, and from 1:30 p.m. to 4:30 p.m. Each of plaintiff and defendant shall have three hours to present their respective cases. Exhibits and witness lists (which shall conform to the pretrial order) shall be filed on or before January 11, 2019.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Issa Ibrahim Awad

Represented By
Chris Scarcella

Defendant(s):

Issa Ibrahim Awad

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, February 26, 2019

Hearing Room 225

2:00 PM

CONT... Issa Ibrahim Awad

Chapter 7

James Husen

Plaintiff(s):

Western Union Financial Services,

Represented By
Ross A Spector

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, February 26, 2019

Hearing Room 225

2:00 PM

6:17-17842 Daniel Lawrence Cohen

Chapter 7

#2.00

Hrg. on chapter 7 trustee's Motion filed 2/5/19 for Order Compelling Turnover of Property of the Estate

Docket 39

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Daniel Lawrence Cohen

Represented By
Robert L Firth

Trustee(s):

John P Pringle (TR)

Represented By
D Edward Hays

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, February 26, 2019

Hearing Room 225

2:00 PM

6:17-20442 Timothy David Murphy

Chapter 7

#3.00

Hrg. on Trustee's Motion filed 1/4/19 for Order Compelling Turnover of Estate Property and Documents

(Cont. from 1/29/19)

Docket 98

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion but require the Trustee to keep confidential attorney-client communications absent further order of the Court.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Timothy David Murphy

Represented By
Timothy D Murphy

Trustee(s):

Lynda T. Bui (TR)

Represented By
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, February 26, 2019

Hearing Room 225

2:00 PM

6:18-14088 Julio Melchor Menendez

Chapter 7

#4.00

Hrg. on Debtor's Motion filed 1/5/19 to Convert Case From Chapter 7 to 13

Docket 39

Tentative Ruling:

APPEARANCES NOT REQUIRED.

At the February 12, 2019 hearing on the Trustee's objection to Debtor's increased homestead exemption, counsel for the Trustee announced that he would be withdrawing his opposition to the current motion.

The Court will grant the motion.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Julio Melchor Menendez

Represented By
John F Brady

Trustee(s):

Karl T Anderson (TR)

Represented By
Robert A Hessling

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, February 26, 2019

Hearing Room 225

2:00 PM

6:18-16636 Littlefield Physical Therapy, Inc.

Chapter 11

#5.00

Hrg. on United States Trustee's Motion filed 2/1/19 to Appointment Patient Care Ombudsman

Docket 54

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

UNITED STATES TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Littlefield Physical Therapy, Inc.

Represented By
Evan L Smith

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, February 26, 2019

Hearing Room 225

2:00 PM

6:18-18544 Cort R. Collins and Rita Collins

Chapter 7

#6.00

Hrg. on Debtor's Motion filed 11/26/18 to convert case to chapter 13

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Cort R. Collins

Represented By
James T Lillard

Joint Debtor(s):

Rita Collins

Represented By
James T Lillard

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, February 26, 2019

Hearing Room 225

2:00 PM

6:18-18731 Scott Shih Lee

Chapter 7

#7.00

Hrg. on Chapter 7 Trustee's Motion filed 2/1/19 for Order extending the Deadline to Assume or Reject Executory Contracts or, in the Alternative, to Assume Existing Unexpired Lease of Real Property

Docket 58

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and extend the deadline to assume or reject until May 31, 2019 and confirm that the subject Lease has not been assumed or rejected or deemed rejected.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Scott Shih Lee

Represented By
Ronald D Halpern

Trustee(s):

Robert Whitmore (TR)

Represented By
D Edward Hays

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, February 26, 2019

Hearing Room 225

2:00 PM

6:19-10456 RFS Sports, Inc.

Chapter 11

#8.00

Hrg. on Application filed 1/29/19 to Employ Javier H. Castillo as General
Bankruptcy Counsel

Docket 23

***** VACATED *** REASON: Cont. to 3/26/19 @ 2:00 p.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

RFS Sports, Inc.

Represented By
Javier H Castillo

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, February 26, 2019

Hearing Room 225

2:00 PM

6:19-10457 Field Sport, Inc.

Chapter 11

#9.00

Hrg. on Debtor's Application filed 1/29/19 to Employ Javier H. Castillo as
General Bankruptcy Counsel

Docket 14

***** VACATED *** REASON: Cont. to 3/26/19 @ 2:00 p.m. with jointly
administered case 6:19-10456-MW**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Field Sport, Inc.

Represented By
Javier H Castillo

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 27, 2019

Hearing Room 6C

9:00 AM

8:14-14604 Felix Martinez

Chapter 13

Adv#: 8:17-01161 Martinez v. CV Investment Partners et al

#1.00

Hearing RE: Motion For Defendants' Attorneys Fees And Costs To Be Added
To Judgment
(Motion filed 12/10/18)

Docket 58

Tentative Ruling:

APPEARANCES REQUIRED.

Plaintiff-debtor Felix Martinez ("Mr. Martinez") leased commercial property from defendant Michael Cargile and/or CV Investment Partners ("CV"). CV obtained a default judgment against Mr. Martinez in 2010 in the amount of \$16,455.73 and recorded an abstract of judgment. About two years later, defendants recorded a lis pendens against Mr. Martinez's home.

Mr. Martinez filed a bankruptcy petition under chapter 13 on July 25, 2014 and, on October 24, 2017, commenced an adversary proceeding by filing a complaint against defendants. The complaint alleged four claims for relief: a request for a declaratory judgment pursuant to 11 U.S.C. § 544(a)(3); a judgment determining that the abstract of judgment filed against Mr. Martinez's house was void and unenforceable; expungement of the lis pendens; and a declaratory judgment establishing that the default judgment against Mr. Martinez was void.

The Court granted in part a defendants' motion to dismiss, dismissing the first claim for relief under section 544(a)(3) and the fourth claim for relief on January 5, 2018. Discovery went forward, and the Court tried the remaining two counts of the complaint on October 30, 2018. The Court's Memorandum Decision and Order, filed and entered November 28, 2018, granted judgment in favor of defendants on the second count and judgment in favor of Mr. Martinez on the third count, with attorneys' fees being awarded to both parties with respect to the counts of the

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 27, 2019

Hearing Room 6C

9:00 AM

CONT... Felix Martinez

Chapter 13

complaint on which they were the prevailing parties.

The Court awarded Mr. Martinez \$2,000.00 in fees by order filed and entered January 22, 2019 ("complaint to avoid lien"). These fees, however, are part of a general chapter 13 fee approval under a RARA Fee Agreement and are to be paid by Mr. Martinez, not defendants.

Now before the Court is defendants' post trial motion for an award of \$73,352.00 in fees and \$707.10 in costs (the "Motion"). Mr. Martinez opposes the Motion, arguing that it is excessive and unreasonable to spend over \$70,000 in defending a \$16,455.17 default judgment. Additionally, Mr. Martinez (1) points to various line items on the defendants' legal fees invoice that he believes are improper (2) contends that no contract with an attorney's fees clause exists any longer (such contract having expired in 2007) and (3) argues that this adversary proceeding did not involve the contract in any event.

Defendants' attorneys, Goe & Forsythe, LLP support the Motion with a declaration from Robert Goe, Esq. stating that defendants "made very reasonable offers to settle to which Debtor never even responded. It is my client's and my position that all the attorneys' fees were 'self-inflicted' by Debtor, who chose to bring on the litigation and refused to even engage in reasonable efforts to settle."

ANALYSIS

The law of the case rule applies here: the Court already determined in its Memorandum Decision and Order filed and entered November 28, 2018 that attorneys' fees and costs are awardable under California Code of Civil Procedure sections 685.040 and 1032(A)(10). As has occurred all too often in this adversary proceeding, Mr. Martinez is once again persisting in arguing issues that were previously decided against him – a pattern and practice that occurred during trial as well as earlier in this adversary proceeding, multiplying defendants' attorneys' fees by forcing them to re-litigate issues they had already won. It is a material reason why defendants were forced to expend over \$70,000 defending a complaint against them

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 27, 2019

Hearing Room 6C

9:00 AM

CONT... Felix Martinez

Chapter 13

seeking a much smaller recovery.

For additional evidence of Mr. Martinez's propensity to re-argue issues already decided and lost, reference can be made to page 4 of 10, lines 1-23 of the opposition to the Motion, where Mr. Martinez once again argues that the default judgment rendered by the state court against him in 2012 is null and void. That issue was decided against him over one year ago when the Court granted in part defendants' motion to dismiss by order entered January 5, 2018.

An additional reason defendants' attorneys' fees are so high is that Mr. Martinez failed to respond to defendants' settlement offers. This placed defendants in a position where they were forced to engage in expensive litigation. Evidence of defendants' extensive efforts to settle this case – all fruitless because Mr. Martinez obstinately refused to negotiate and preferred to fight things out in court – can be found in Goe & Forsythe billing time entries relating to settlement on November 29, 2017, January 5, 2018, January 8, 2018, January 26, 2018, January 29, 2018, and March 19, 2018. These settlement efforts by defendants occurred early in the case, at a time when accrued attorneys' fees (also known as "work in progress") were far lower than they are now, and when settlement likely would have been beneficial to all concerned. Having spurned such settlement overtures in favor of litigating to the hilt, Mr. Martinez now must bear the full consequences of his actions.

The Court will reduce Goe & Forsythe, LLP's allowed fees by the following: \$869 for 2.2 hours of legal work researching the lis pendens issue; and \$118.50 for 0.3 hours of legal work in reviewing "debtors reorganization status report." The Court will also reduce fees by the \$2,000 in discovery sanctions awarded to defendants because to do otherwise would be to permit a double recovery of fees.

For the foregoing reasons, the Court awards defendants \$70,364.50 in attorneys' fees and \$707.10 in costs and to that extent grants the Motion.

MOVANTS TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 27, 2019

Hearing Room 6C

9:00 AM

CONT... Felix Martinez

Chapter 13

Debtor(s):

Felix Martinez

Represented By
Joseph A Weber
Fritz J Firman

Defendant(s):

CV Investment Partners

Represented By
Donald Reid
Robert P Goe

Michael Cargile

Represented By
Robert P Goe

Plaintiff(s):

Felix Martinez

Represented By
Fritz J Firman

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 27, 2019

Hearing Room 6C

9:00 AM

8:18-10229 Patty Sundara

Chapter 7

Adv#: 8:18-01159 Marshack v. Sundara et al

#2.00

Hearing RE: Motion To Dismiss Adversary Proceeding
(Motion filed 1/11/19)

Docket 14

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion and dismiss the action.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Patty Sundara	Pro Se
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Defendant(s):

Patty Sundara	Pro Se
Thachabe Mokda	Pro Se

Plaintiff(s):

Richard Marshack	Represented By Anerio V Altman
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Trustee(s):

Richard A Marshack (TR)	Represented By Anerio V Altman
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 27, 2019

Hearing Room 6C

9:00 AM

8:18-10324 Alexander Mark Christian Isaly

Chapter 7

Adv#: 8:18-01078 Heritage Law LLP v. Isaly

#3.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Amended Complaint For
Determination Of Dischargeability And Objecting To Debtor's Discharge
Pursuant To Sections 523 And 727 Of The Bankruptcy Code
(Complaint filed 5/3/18)
(Amended Complaint filed 6/18/18)
(PTC set at S/C held 7/25/18)

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the pretrial conference to March 13, 2019 at 2:00 p.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Alexander Mark Christian Isaly

Represented By
Anthony B Vigil

Defendant(s):

Alexander Mark Christian Isaly

Pro Se

Joint Debtor(s):

Michele Leann Isaly

Represented By
Anthony B Vigil

Plaintiff(s):

Heritage Law LLP

Represented By
Erik E Woodbury

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 27, 2019

Hearing Room 6C

9:00 AM

CONT... Alexander Mark Christian Isaly

Chapter 7

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 27, 2019

Hearing Room 6C

9:00 AM

8:18-11574 Lisa Hernandez

Chapter 7

Adv#: 8:18-01148 Hernandez v. United States of America, by its agency Internal R

#4.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Determine
Dischargeability Of Tax Liability
(Complaint filed 7/26/18)
(Another Summons issued 12/3/18)

FR: 10-17-18; 1-16-19

Docket 1

***** VACATED *** REASON: CONTINUED TO MARCH 20, 2019 AT
9:00 A.M. PER ORDER CONTINUING THE STATUS CONFERENCE
ENTERED 2-15-19 - (DOCKET NO. [17])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lisa Hernandez

Represented By
Bruce A Boice

Defendant(s):

United States of America, by its

Pro Se

Plaintiff(s):

Lisa Hernandez

Represented By
Bruce A Boice

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 27, 2019

Hearing Room 6C

9:00 AM

8:18-11759 Chester Davenport

Chapter 7

Adv#: 8:18-01208 Eastwest Partners Investment, LLC v. Davenport

#5.00

STATUS CONFERENCE Hearing RE: Eastwest Partners Investment, LLC's
Complaint For Nondischargeability Of Debt Pursuant To 11 U.S.C. Section
523(a)(2) And Section 523(a)(6)
(Complaint filed 11/27/18)
(First Amended Complaint filed 1/16/19)

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will issue a scheduling order:

1. All discovery shall close on July 31, 2019.
2. All discovery motions shall be heard before August 31, 2019.
3. All pretrial motions shall be heard before September 30, 2019.
4. Pretrial conference is set for October 16, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Chester Davenport

Represented By
Michael Jay Berger

Defendant(s):

Chester Davenport

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 27, 2019

Hearing Room 6C

9:00 AM

CONT... Chester Davenport

Chapter 7

Plaintiff(s):

Eastwest Partners Investment, LLC

Represented By
Stella A Havkin

Trustee(s):

Karen S Naylor (TR)

Represented By
Kathleen J McCarthy
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 27, 2019

Hearing Room 6C

9:00 AM

8:18-11759 Chester Davenport

Chapter 7

Adv#: 8:18-01208 Eastwest Partners Investment, LLC v. Davenport

#5.10

Hearing RE: Defendant Chester C. Davenport's Motion To Dismiss Plaintiff's First Amended Complaint For Failure To State A Claim Upon Which Relief Can Be Granted Pursuant to Federal Rules Of Civil Procedure 12(b)(6) (Motion filed 1/30/19)

Docket 5

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will rule on Debtor's evidentiary objections.

The Court will deny the motion with prejudice. Plaintiff EastWest has demonstrated that it is in good standing in Nevada.

Regarding the § 523(a)(6) cause of action, movant has failed to make a sufficient showing that the facts alleged in the complaint do not state a caus of action for willful and malicious injury.

EASTWEST TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Chester Davenport

Represented By
Michael Jay Berger

Defendant(s):

Chester Davenport

Represented By
Michael Jay Berger

Plaintiff(s):

Eastwest Partners Investment, LLC

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 27, 2019

Hearing Room 6C

9:00 AM

CONT... Chester Davenport

Chapter 7

Stella A Havkin

Trustee(s):

Karen S Naylor (TR)

Represented By
Kathleen J McCarthy
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 27, 2019

Hearing Room 6C

9:00 AM

8:18-11759 Chester Davenport

Chapter 7

Adv#: 8:18-01194 Sun et al v. Davenport

#5.20

Hearing RE: Defendant Chester C. Davenport's Motion To Set Aside Default Pursuant to Federal Rules Of Civil Procedure 55(c)
(Motion filed 1/22/19)

Docket 20

***** VACATED *** REASON: OFF CALENDAR - ORDER DISMISSING
ADVERSARY PROCEEDING - DISMISSED WITHOUT PREJUDICE
FOR 90 DAYS THEN WITH PREJUDICE (DOCKET NO. [26])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Chester Davenport

Represented By
Michael Jay Berger

Defendant(s):

Chester C. Davenport

Represented By
Michael Jay Berger

Plaintiff(s):

Bianca Sun

Pro Se

Yanyu Sun

Pro Se

Trustee(s):

Karen S Naylor (TR)

Represented By
Kathleen J McCarthy
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 27, 2019

Hearing Room 6C

9:00 AM

8:18-11792 Modern VideoFilm, Inc.

Chapter 11

#6.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Chapter 11 Petition filed on 5/16/18)

FR: 7-25-18; 11-14-18

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

This matter will go forward as a status conference only.

The Court will inquire as to the status of Debtor's motion for order clarifying scope of the automatic stay in the Point.360 case pending before Judge Julia Brand. The Court will inquire whether any of the provisions in the apparently competing plans of reorganization filed in the Point.360 case by Point.360 or by Medley affect or have a bearing on Point.360's alleged ownership of these causes of action or the outcome of the automatic stay scope clarification issue.

Party Information

Debtor(s):

Modern VideoFilm, Inc.

Represented By
Garrick A Hollander

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 27, 2019

Hearing Room 6C

9:00 AM

8:18-11792 Modern VideoFilm, Inc.

Chapter 11

Adv#: 8:18-01084 Modern VideoFilm, Inc. v. Barkat et al

#7.00

CONT'D Hearing RE: Special Motion To Strike Second, Tenth And Fifteenth Claims For Relief From Modern VideoFilm, Inc.'s First Amended Complaint
[Motion Treated As Summary Judgment Motion]
(Motion filed 7/6/18)
[Defendant Hugh Miller dismissed 8/10/18 - Docket No. [57]]

FR: 8-1-18; 10-17-18

Docket 34

Tentative Ruling:

APPEARANCES REQUIRED.

This matter will go forward as a status conference only.

The Court will inquire as to the status of Debtor's motion for order clarifying scope of the automatic stay in the Point.360 case pending before Judge Julia Brand. The Court will inquire whether any of the provisions in the apparently competing plans of reorganization filed in the Point.360 case by Point.360 or by Medley affect or have a bearing on Point.360's alleged ownership of these causes of action or the outcome of the automatic stay scope clarification issue.

Party Information

Debtor(s):

Modern VideoFilm, Inc.

Represented By
Garrick A Hollander
Andrew B Levin
Peter W Lianides

Defendant(s):

Danielle Barkat Turner

Represented By
David L. Neale

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 27, 2019

Hearing Room 6C

9:00 AM

CONT... Modern VideoFilm, Inc.

Chapter 11

Sivan Barkat Sherman

Represented By
David L. Neale

Sidan Engineering, L.P.

Represented By
David L. Neale

Modern VideoFilm Holdings, LLC

Represented By
Juliet Y Oh
David L. Neale

Moshe Barkat

Represented By
Juliet Y Oh
David L. Neale

Hugh Miller

Represented By
David L. Neale

Deborah Barkat

Represented By
David L. Neale

Plaintiff(s):

Modern VideoFilm, Inc.

Represented By
Garrick A Hollander

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 27, 2019

Hearing Room 6C

9:00 AM

8:18-11792 Modern VideoFilm, Inc.

Chapter 11

Adv#: 8:18-01084 Modern VideoFilm, Inc. v. Barkat et al

#8.00

CONT'D Hearing RE: Motion To Dismiss Modern VideoFilm, Inc.'s First Amended Complaint
[Motion Treated As Summary Judgment Motion]
(Motion filed 7/6/18)

FR: 8-1-18; 10-17-18

Docket 33

Tentative Ruling:

APPEARANCES REQUIRED.

This matter will go forward as a status conference only.

The Court will inquire as to the status of Debtor's motion for order clarifying scope of the automatic stay in the Point.360 case pending before Judge Julia Brand. The Court will inquire whether any of the provisions in the apparently competing plans of reorganization filed in the Point.360 case by Point.360 or by Medley affect or have a bearing on Point.360's alleged ownership of these causes of action or the outcome of the automatic stay scope clarification issue.

Party Information

Debtor(s):

Modern VideoFilm, Inc.

Represented By
Garrick A Hollander
Andrew B Levin
Peter W Lianides

Defendant(s):

Modern VideoFilm Holdings, LLC

Represented By
Juliet Y Oh
David L. Neale

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 27, 2019

Hearing Room 6C

9:00 AM

CONT... Modern VideoFilm, Inc.

Chapter 11

Moshe Barkat

Represented By
Juliet Y Oh
David L. Neale

Hugh Miller

Represented By
David L. Neale

Deborah Barkat

Represented By
David L. Neale

Danielle Barkat Turner

Represented By
David L. Neale

Sivan Barkat Sherman

Represented By
David L. Neale

Sidan Engineering, L.P.

Represented By
David L. Neale

Plaintiff(s):

Modern VideoFilm, Inc.

Represented By
Garrick A Hollander

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 27, 2019

Hearing Room 6C

9:00 AM

8:18-11792 Modern VideoFilm, Inc.

Chapter 11

Adv#: 8:18-01084 Modern VideoFilm, Inc. v. Barkat et al

#9.00

CONT'D Hearing RE: Motion For Reconsideration And Clarification Of Order Denying Debtor's Motion To Approve Stipulation RE Production Of Documents By Managease, Inc. Pursuant To Local Rule 9013-1(o)
(Motion filed 11/26/18)

FR: 12-19-18

Docket 88

Tentative Ruling:

APPEARANCES REQUIRED.

This matter will go forward as a status conference only.

The Court will inquire as to the status of Debtor's motion for order clarifying scope of the automatic stay in the Point.360 case pending before Judge Julia Brand. The Court will inquire whether any of the provisions in the apparently competing plans of reorganization filed in the Point.360 case by Point.360 or by Medley affect or have a bearing on Point.360's alleged ownership of these causes of action or the outcome of the automatic stay scope clarification issue.

Party Information

Debtor(s):

Modern VideoFilm, Inc.

Represented By
Garrick A Hollander
Andrew B Levin
Peter W Lianides

Defendant(s):

Moshe Barkat

Represented By
Juliet Y Oh
David L. Neale

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 27, 2019

Hearing Room 6C

9:00 AM

CONT... Modern VideoFilm, Inc.
Modern VideoFilm Holdings, LLC

Chapter 11

Represented By
Juliet Y Oh
David L. Neale

Sidan Engineering, L.P.

Represented By
David L. Neale

Sivan Barkat Sherman

Represented By
David L. Neale

Danielle Barkat Turner

Represented By
David L. Neale

Deborah Barkat

Represented By
David L. Neale

Plaintiff(s):

Modern VideoFilm, Inc.

Represented By
Garrick A Hollander
Richard H Golubow

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 27, 2019

Hearing Room 6C

9:00 AM

8:18-13086 Angela K. Barrie

Chapter 7

Adv#: 8:18-01213 Arthur J. Gallagher & Co. v. Barrie

#10.00

STATUS CONFERENCE RE: Complaint To Determine Nondischargability Of
Debt Pursuant To 11 U.S.C. Sections 523(a)(2) And 523(a)(6)
(Complaint filed 12/3/18)

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will approve the Stipulation for Immediate Entry of Judgment and will
approve the form of Judgment for entry.

Party Information

Debtor(s):

Angela K. Barrie

Represented By
Peter Rasla

Defendant(s):

Angela K. Barrie

Pro Se

Plaintiff(s):

Arthur J. Gallagher & Co.

Represented By
Roger F Friedman

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 27, 2019

Hearing Room 6C

9:00 AM

8:18-14036 David K Toyota

Chapter 11

#11.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 11/2/18)

FR: 1-9-19

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER DISMISSING
THE DEBTOR'S CASE WITH A SIX-MONTH BAR TO REFILE
ENTERED 2-13-19 - (DOCKET NO. [39])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

David K Toyota

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 27, 2019

Hearing Room 6C

9:00 AM

8:18-10324 Alexander Mark Christian Isaly

Chapter 7

Adv#: 8:18-01083 B3 FIT, INC et al v. Isaly

#12.00

Hearing RE: Motion To Reopen Discovery And Extend Pre-Trial Dates
(Motion filed 2/6/19)

Docket 12

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

The Court will vacate its scheduling order entered on August 4, 2018 and will issue a new scheduling order:

1. All discovery shall close on September 30, 2019.
2. All discovery motions shall be heard before October 31, 2019.
3. All pretrial motions shall be heard before November 30, 2019.
4. Pretrial conference is set for December 11, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Alexander Mark Christian Isaly

Represented By
Anthony B Vigil
Jeffrey G Jacobs

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 27, 2019

Hearing Room 6C

9:00 AM

CONT... Alexander Mark Christian Isaly

Chapter 7

Defendant(s):

Alexander Mark Christian Isaly

Represented By
Jeffrey G Jacobs
Anerio V Altman

Joint Debtor(s):

Michele Leann Isaly

Represented By
Anthony B Vigil

Plaintiff(s):

B3 FIT, INC

Represented By
Ian Landsberg

Terence Shorter

Represented By
Ian Landsberg

Tina Shorter

Represented By
Ian Landsberg

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 27, 2019

Hearing Room 6C

10:00 AM

8:18-13904 Juan Manuel Sierra Mendez and Maribel Sierra

Chapter 7

#1.00

Hearing RE: Pro se Reaffirmation Agreement Between Debtor And Partners
Federal Credit Union
(Motion filed 1/11/19)

**[RE: 2013 Volkswagon Jetta - Amount: \$9,595.46
[VIN No.: 3VWDPAJ7DM391354]**

Docket 15

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtors' best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Juan Manuel Sierra Mendez

Represented By
Irma C Coler

Joint Debtor(s):

Maribel Sierra

Represented By
Irma C Coler

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 27, 2019

Hearing Room 6C

10:00 AM

8:18-13902 Nina Trinada Guidangen

Chapter 7

#2.00

Hearing RE: Pro se Reaffirmation Agreement Between Debtor And SchoolsFirst
Federal Credit Union
(Motion filed 1/31/19)

[RE: 2014 Ford Fusion - Amount: \$12,066.23]

Docket 11

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Nina Trinada Guidangen	Pro Se
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Trustee(s):

Thomas H Casey (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 27, 2019

Hearing Room 6C

2:00 PM

8:16-11202 QF Liquidation Inc.

Chapter 11

#1.00

CONT'D Hearing RE: Motion For Entry Of An Order (I) For Approving The Disclosure Statement; (II) Establishing Voting Record Date; (III) Approving Solicitation Packages And Distribution Procedures; (IV) Approving Form Of Ballots And Establishing Procedures For Voting On Plan Of Liquidation; (V) Approving Forms Of Notices To Non-Voting Classes Under Plan; (VI) Establishing Voting Deadline To Accept Or Reject Plan; (VII) Approving Procedures For Vote Tabulations; And (VIII) Establishing Confirmation Hearing Date And Notice And Objection Procedures Thereof (Motion filed 12/5/18)

FR: 1-23-19

Docket 606

***** VACATED *** REASON: CONTINUED TO MARCH 27, 2019 AT 9:00 A.M. PER ORDER APPROVING STIPULATION TO CONTINUE HEARINGS ENTERED 2-15-19 - (DOCKET NO. [636])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

QF Liquidation Inc.

Represented By
Marshall J Hogan
Victor A Vilaplana

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, February 27, 2019

Hearing Room 6C

2:00 PM

8:16-11202 QF Liquidation Inc.

Chapter 11

#2.00

CONT'D Hearing RE: Debtor's Motion For An Entry Of An Order Barring, Estopping, Enjoining, Discharging And Deeming Waived The Claim Of The Internal Revenue Service For Certain Penalties Or, In The Alternative, Determining Penalties Should Be Zero
(Motion filed 12/20/18)

FR: 12-28-18; 1-23-19

Docket 611

***** VACATED *** REASON: CONTINUED TO MARCH 27, 2019 AT
9:00 A.M. PER ORDER APPROVING STIPULATION TO CONTINUE
HEARINGS ENTERED 2-15-19 - (DOCKET NO. [636])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

QF Liquidation Inc.

Represented By
Marshall J Hogan
Victor A Vilaplana

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, February 28, 2019

Hearing Room 225

9:00 AM

6:16-20446 BioData Medical Laboratories, Inc.

Chapter 11

Adv#: 6:16-01299 BioData Medical Laboratories, Inc. v. Merchant Cash & Capital, LLC.

#1.00

PRE-TRIAL CONFERENCE re: Complaint by BioData Medical Laboratories, Inc. against Merchant Cash & Capital, LLC.. (Charge To Estate). Nature of Suit: (12 (Recovery of money/property - 547 preference)),(13 (Recovery of money/property - 548 fraudulent transfer)),(72 (Injunctive relief - other)),(91 (Declaratory judgment))

(Con't from 12/6/18)

Docket 1

*** VACATED *** REASON: Cont. to 6/20/19 @ 9:00 a.m. - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

BioData Medical Laboratories, Inc.

Represented By
Robert M Yaspan

Defendant(s):

Merchant Cash & Capital, LLC.

Pro Se

Plaintiff(s):

BioData Medical Laboratories, Inc.

Represented By
Robert M Yaspan

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, February 28, 2019

Hearing Room 225

9:00 AM

6:17-20442 Timothy David Murphy
Adv#: 6:18-01071 Murphy v. Murphy

Chapter 7

#2.00

Hrg. on Plaintiff's Motion filed 2/4/19 to compel response to interrogatories, production of documents ,request for sanctions in the amount of \$2,520.00, and request to extend the discovery cutoff date

Docket 65

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion in part and deny it in part.

The Court will sustain Defendant's objections to Requests for Production 1, 4, 7, 10, 11, 22 and 29. These Requests for Production are unbounded as to time and for that reason are overbroad and unreasonable. For example, Production Request 1 requires Defendant to produce "[a]ll Documents relating to the 1989 Corvette listed in your bankruptcy schedules." Assuming hypothetically that Defendant acquired this vehicle in 1989 and had an oil change performed in 1990, Defendant would be required to produce the bill or invoice for the oil change if he still has it in his possession. If Defendant has 200 boxes of documents in storage, he might need to check all 200 to find and produce the oil change bill from more than a quarter of a century ago. In other words, a huge amount of effort might be required to produce a document of little or no relevance to this adversary proceeding.

The Court will overrule Defendant's objections to the balance of the Interrogatories and Requests for Production. These Interrogatories and Requests for Production are more narrowly drawn and are reasonable. Defendant shall respond on or before March 15, 2019.

The Court will not extend any other deadlines in this adversary proceeding. All such deadlines remain in place.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, February 28, 2019

Hearing Room 225

9:00 AM

CONT... Timothy David Murphy Chapter 7

The Court will impose sanctions against Defendant in the amount of \$1,000.00, to be paid in full on or before March 15, 2019.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Timothy David Murphy

Represented By
Timothy D Murphy

Defendant(s):

Timothy David Murphy

Represented By
Timothy D Murphy

Plaintiff(s):

Mark M. Murphy

Represented By
Larry D Webb

Trustee(s):

Lynda T. Bui (TR)

Represented By
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 7, 2019

Hearing Room 225

9:00 AM

6:

Chapter 0

Adv#: 6:18-01236 Fleming, Sr v. Havasu Lakeshore Investments

#1.00

Hrg of Judgment Lien Creditor, Havasu Lakeshore Investments Inc Motion to Dismiss Plaintiff's Complaint Pursuant to Rule 12(b)(6)

(Cont. from 1/24/19)

Docket 4

***** VACATED *** REASON: Cont. to the 2:00 p.m. calendar -jc**

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire whether the parties have agreed to mediate and/or any terms ancillary to the mediation (such as the extension of deadlines and the continuance of hearings).

Party Information

Defendant(s):

Havasu Lakeshore Investments

Represented By
Martin A Eliopoulos

Plaintiff(s):

Terry Lee Fleming Sr

Represented By
James E Till

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 7, 2019

Hearing Room 225

9:00 AM

6:17-16779 Carlitos Vargas

Chapter 7

Adv#: 6:17-01243 Vargas v. United States Department Of Education et al

#2.00

Hrg. on Defendant United States Department of Education Motion filed 8/2/18
Motion for Summary Judgment or Partial Summary Adjudication

(Cont. from 1/31/19)

Docket 29

***** VACATED *** REASON: Cont. to 4/11/19 @ 9:00 a.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Carlitos Vargas

Represented By
Todd L Turoci

Defendant(s):

United States Department Of

Represented By
Elan S Levey

Navient Corporation

Represented By
Robert S Lampl

Navient Credit Finance Corporation

Represented By
Robert S Lampl

Navient Solutions, Inc.

Represented By
Robert S Lampl

Education Credit Management

Represented By
Scott A Schiff

Joint Debtor(s):

Michelle Vargas

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 7, 2019

Hearing Room 225

9:00 AM

CONT... Carlitos Vargas

Chapter 7

Plaintiff(s):

Michelle Vargas

Represented By
Todd L Turoci

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 7, 2019

Hearing Room 225

9:00 AM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

Adv#: 6:17-01272 Fleming, Sr et al v. Doucette et al

#3.00

STATUS CONFERENCE Hearing RE: lawsuit pending in State Court to
Bankruptcy Court
(Notice of Removal filed 12/13/17)

**[RE: Superior Court Of The State Of California For The County Of
Riverside, Case No PSC1502480]**

[Case: Havasu Lakeshore Investments, LLC v. Terry L. Fleming, Sr. et al.,]

(Cont from 1/24/19)

Docket 0

***** VACATED *** REASON: Continued to the 2:00 pm calendar - slh**

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire whether the parties have agreed to mediate and/or any terms ancillary to the mediation (such as the extension of deadlines and the continuance of hearings).

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

Defendant(s):

Katherine Doucette

Represented By
Randall S. Waier

Havasu Landing, LLC

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 7, 2019

Hearing Room 225

9:00 AM

CONT... Terry Lee Fleming, Sr

Chapter 11

Michael B Reynolds

Terry Fleming, Jr.

Represented By
Michael B Reynolds

Plaintiff(s):

Terry Lee Fleming Sr

Represented By
James E Till
James E Till
James E Till

Havasu Lakeshore Investments

Represented By
Martin A Eliopulos

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 7, 2019

Hearing Room 225

2:00 PM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

#1.00

Hrg. on Chapter 11 Status Conference

(cont. from 1/24/19)

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire whether the parties have agreed to mediate and/or any terms ancillary to the mediation (such as the extension of deadlines and the continuance of hearings).

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 7, 2019

Hearing Room 225

2:00 PM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

Adv#: 6:17-01272 Fleming, Sr et al v. Doucette et al

#1.10

STATUS CONFERENCE Hearing RE: lawsuit pending in State Court to
Bankruptcy Court
(Notice of Removal filed 12/13/17)

**[RE: Superior Court Of The State Of California For The County Of
Riverside, Case No PSC1502480]**

[Case: Havasu Lakeshore Investments, LLC v. Terry L. Fleming, Sr. et al.,]

(Cont from 1/24/19)

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire whether the parties have agreed to mediate and/or any terms ancillary to the mediation (such as the extension of deadlines and the continuance of hearings).

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

Defendant(s):

Katherine Doucette

Represented By
Randall S. Waier

Havasu Landing, LLC

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 7, 2019

Hearing Room 225

2:00 PM

CONT... Terry Lee Fleming, Sr

Chapter 11

Michael B Reynolds

Terry Fleming, Jr.

Represented By
Michael B Reynolds

Plaintiff(s):

Terry Lee Fleming Sr

Represented By
James E Till
James E Till
James E Till

Havasu Lakeshore Investments

Represented By
Martin A Eliopulos

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 7, 2019

Hearing Room 225

2:00 PM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

Adv#: 6:17-01273 Havasu Lakeshore Investments v. Fleming, Jr et al

#2.00

PRE-TRIAL CONFERENCE Hearing RE: lawsuit pending in State Court to
Bankruptcy Court
(Notice of Removal filed 12/13/17)

**[RE: Superior Court Of The State Of California For The County Of Orange,
Case No 30-2015-00805846-CU-FRCJC]
[Case: Havasu Lakeshore Investments, LLC v. Terry L. Fleming, Sr. et al.,]**

(Cont. from 2/21/19)

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire whether the parties have agreed to mediate and/or any terms ancillary to the mediation (such as the extension of deadlines and the continuance of hearings).

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

Defendant(s):

Terry Lee Fleming Jr

Represented By
Michael B Reynolds

Patricia Wilson-Fleming

Represented By
Randall S Waier

Havasu Landing LLC

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 7, 2019

Hearing Room 225

2:00 PM

CONT... Terry Lee Fleming, Sr

Chapter 11

Michael B Reynolds

Terry Lee Fleming Sr

Represented By
James E Till

Plaintiff(s):

Havasu Lakeshore Investments

Represented By
Martin A Eliopoulos

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 7, 2019

Hearing Room 225

2:00 PM

:
Adv#: 6:18-01236 Fleming, Sr v. Havasu Lakeshore Investments

Chapter 0

#3.00

STATUS CONFERENCE re: complaint to determine validity, priority and extent of liens(s), for Declaratory Relief, and for Equitable Subordination

(Cont. from 2/21/19)

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire whether the parties have agreed to mediate and/or any terms ancillary to the mediation (such as the extension of deadlines and the continuance of hearings).

Party Information

Defendant(s):

Havasu Lakeshore Investments

Represented By
Martin A Eliopulos
Gregory M. Garrison

Plaintiff(s):

Terry Lee Fleming Sr

Represented By
James E Till

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 7, 2019

Hearing Room 225

2:00 PM

6:

Chapter 0

Adv#: 6:18-01236 Fleming, Sr v. Havasu Lakeshore Investments

#4.00

Hrg of Judgment Lien Creditor, Havasu Lakeshore Investments Inc Motion to Dismiss Plaintiff's Complaint Pursuant to Rule 12(b)(6)

(Cont. from 1/24/19)

Docket 4

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire whether the parties have agreed to mediate and/or any terms ancillary to the mediation (such as the extension of deadlines and the continuance of hearings).

Party Information

Defendant(s):

Havasu Lakeshore Investments

Represented By
Martin A Eliopulos

Plaintiff(s):

Terry Lee Fleming Sr

Represented By
James E Till

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 7, 2019

Hearing Room 225

2:00 PM

6:

Chapter 0

Adv#: 6:18-01236 Fleming, Sr v. Havasu Lakeshore Investments

#5.00

Hrg of Judgment Lien Creditor, Havasu Lakeshore Investments Inc Motion to Dismiss Plaintiff's Complaint Pursuant to Rule 12(b)(6)

(Cont. from 1/24/19)

Docket 4

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire whether the parties have agreed to mediate and/or any terms ancillary to the mediation (such as the extension of deadlines and the continuance of hearings).

Party Information

Defendant(s):

Havasu Lakeshore Investments

Represented By
Martin A Eliopulos

Plaintiff(s):

Terry Lee Fleming Sr

Represented By
James E Till

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, March 11, 2019

Hearing Room 6C

9:00 AM

8:18-11621 Christine K Roberts

Chapter 13

#1.00

CONT'D Motion for relief from stay [Real Property]

Deutsche Bank National Trust Company, As Trustee, On Behalf Of The Holders Of The Impac Secured Assets Corp., Mortgage Pass-Through Certificates Series 2004-3, Its Assignees And/Or Successors vs. DEBTOR
(Motion filed 12/3/18)

[RE: 1109 W 21st Street, Santa Ana, CA 92706]

FR: 1-14-19; 1-28-19

Docket 58

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Christine K Roberts

Represented By
Bruce D White

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, March 11, 2019

Hearing Room 6C

9:00 AM

8:18-13558 Lovert B. Hogai

Chapter 13

#2.00

Motion for relief from the automatic stay [REAL PROPERTY

U.S. Bank Trust, N.A., As Trustee For LSF10 Master Participation Trust, By
Caliber Home Loans, Inc., As Its attorney In Fact vs. DEBTOR
(Motion filed 2/6/19)

[RE: 24806 Lakefield Street, Lake Forest, CA 92630]

Docket 48

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL ARISING FROM CHAPTER 13 CONFIRMAITON
HEARING ENTERED 2-11-19 - (DOCKET NO. [52])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lovert B. Hogai

Represented By
Matthew D. Resnik

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, March 11, 2019

Hearing Room 6C

9:00 AM

8:19-10430 Martin Andelman and Stacey Andelman

Chapter 13

#3.00

Hearing RE: Motion In Individual Case For Order Imposing A Stay Or Continuing The Automatic Stay As The Court Deems Appropriate
(Motion filed 2/14/19)
(OST Denied 2/15/19)

Docket 14

Tentative Ruling:

APPEARANCES REQUIRED.

The debtors filed a case that was dismissed on January 14, 2019. In this situation, the automatic stay terminates as to a debt or property securing such debt or a lease on the 30th day after the filing of a later case within one year. 11 U.S.C. § 362(c)(3)(A).

Here, the petition was filed February 5, 2019, so the stay terminated on or about March 7, 2019. 11 U.S.C. § 362(c)(3) permits the Court to extend the stay, but only if a motion is brought and is heard within such 30 day period. A hearing on March 11, 2019 is beyond the 30 day period. Accordingly, the motion is denied. The Court confirms that no automatic stay is in effect as to any debt or any lease or any property securing a debt.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Martin Andelman

Represented By
Nathan Fransen

Joint Debtor(s):

Stacey Andelman

Represented By
Nathan Fransen

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, March 11, 2019

Hearing Room 6C

9:00 AM

CONT... Martin Andelman and Stacey Andelman

Chapter 13

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, March 11, 2019

Hearing Room 6C

2:00 PM

8:18-11759 Chester Davenport

Chapter 7

#1.00

Hearing RE: Motion To Withdraw As Debtor's Bankruptcy Counsel
(Motion filed 2/8/19)

Docket 252

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion, conditioned upon Mr. Berger confirming the address of the Debtor and providing to the chapter 7 Trustee the current telephone and email address of the Debtor. The Court will inquire whether the Trustee regards the information provided by Mr. Berger in the reply as adequate.

MR. BERGER TO LODGE ORDER AFTER IT HAS BEEN APPROVED BY TRUSTEE NAYLOR.

Party Information

Debtor(s):

Chester Davenport

Represented By
Michael Jay Berger

Trustee(s):

Karen S Naylor (TR)

Represented By
Kathleen J McCarthy
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, March 12, 2019

Hearing Room 225

9:00 AM

6:18-18943 Wayne Morris and Celia Morris

Chapter 7

#1.00

Aldridge Pite LLP - movant attorney

Motion for Relief from Stay

U.S. National Association vs. DEBTORS
(Motion filed 2/5/19)

Re: 9 Bella Donaci, Lake Elsinore, California 92532

Docket 29

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS

Party Information

Debtor(s):

Wayne Morris

Represented By
Michael A Cisneros

Joint Debtor(s):

Celia Morris

Represented By
Michael A Cisneros

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, March 12, 2019

Hearing Room 225

9:00 AM

6:18-20347 Albert Ryan Jernegan

Chapter 7

#2.00

Zieve, Brodnax & Steele, LLP - movant attorney

Motion for Relief from Stay

Freedom Mortgage Corporation vs. DEBTOR
(Motion filed 2/13/19)

RE: 4081 Hueco Land Ln, El Paso TX 79938

Docket 12

Tentative Ruling:

APPEARANCES REQUIRED.

Based on Debtor's intent to surrender the subject property as stated in the Schedules, the Court finds "cause" and grants the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Albert Ryan Jernegan

Represented By
Robert L Firth

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, March 12, 2019

Hearing Room 225

9:00 AM

6:18-20354 Jonathan J Rodriguez Sanchez

Chapter 7

#3.00

Prenovost, Normandin, Bergh & Dawe - movant attorney

Motion for Relief from Stay

Yamaha Motor Finance Corp. vs. DEBTOR
(Motion filed 2/6/19)

Re: 2016 Yamaha YZFR6GCGY

Docket 9

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Jonathan J Rodriguez Sanchez

Represented By
Daniel King

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, March 12, 2019

Hearing Room 225

9:00 AM

6:18-20511 Katherine Coronado and Edgar Arnoldo Monterroso

Chapter 7

#4.00

Hrg. on Motion By United States Trustee filed 1/2/19 To Dismiss Case With A Re-Filing Bar

(Cont. from 1/29/19)

Docket 7

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and dismiss the case with a one-year bar to re-filing.

UNITED STATES TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Katherine Coronado	Pro Se
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Joint Debtor(s):

Edgar Arnoldo Monterroso	Pro Se
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Trustee(s):

Robert Whitmore (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, March 12, 2019

Hearing Room 225

9:00 AM

6:18-20715 Stephen Todd Stires

Chapter 7

#5.00

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

Motion for Relief from Stay

ACAR Leasing LTD vs. DEBTOR, Charles W. Daff, Trustee
(Motion filed 2/12/19)

Re: 2017 Chevrolet Colorado, VIN: 1GCGSCEN8H1192482

Docket 10

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS

Party Information

Debtor(s):

Stephen Todd Stires

Represented By
Patricia M Ashcraft

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, March 12, 2019

Hearing Room 225

9:00 AM

6:19-10916 Katherine Lee Rush

Chapter 7

#6.00

Law Office of David I. Brownstein - movant attorney

Motion for Relief from Stay

Austin Tarzana Group, LLC vs. DEBTOR
(Motion filed 2/16/19)

Re: 558 W. Victoria Court, Lake Arrowhead, CA 92352

Docket 8

***** VACATED *** REASON: Case Dismissed 3/1/19 - jc**

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Katherine Lee Rush

Pro Se

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, March 12, 2019

Hearing Room 225

2:00 PM

6:08-14592 Empire Land, LLC

Chapter 7

#1.00

Hrg. on Motion of Chapter 7 Trustee filed 2/15/19 to Approve: (A) Settlement and Mutual Release Agreement; (B) Employment of Samini Cohen Spanos LLP as Special Litigation Counsel; And (C) Revised Engagement Agreement of Glaser Weil

Docket 2496

Tentative Ruling:

APPEARANCES REQUIRED.

The matter comes before the Court on a Motion By Chapter 7 Trustee to Approve (A) Settlement and Mutual Release Agreement; (B) Employment of Samini Cohen Spanos, LLP as Special Litigation Counsel; and (C) Revise Employment Agreement of Glaser Weil (the "Motion"). The Motion is brought pursuant to Federal Rule of Bankruptcy Procedure 9019, which authorizes the Court to approve a compromise or settlement on a motion brought by a trustee and after notice and a hearing. The Motion asks the Court to approve a settlement among the chapter 7 trustee in this case and his current and former legal counsel.

FACTUAL BACKGROUND

This case is more than a decade old, debtor Empire Land, LLC and its affiliates (collectively, "Empire") having filed chapter 11 petitions on April 25, 2008. The cases were converted to chapter 7 on or about December 5, 2008. Richard K. Diamond is the chapter 7 trustee (the "Trustee"). The Trustee retained Paul Hastings LLP ("Paul Hastings") in 2011 to obtain the services of Cynthia Cohen, Esq. ("Ms. Cohen") for the purpose of litigating adversary proceedings against Empire Partners, Inc., James P. Previti, Larry Day and others (collectively, the "Previti Parties"). Three of these adversary proceedings are currently pending before the Honorable Mark Houle, United States Bankruptcy Judge for the Central District of California.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, March 12, 2019

Hearing Room 225

2:00 PM

CONT... Empire Land, LLC

Chapter 7

According to the declaration of Jonathan Loeb, Esq. in opposition to the Motion, beginning in May 2009 the Trustee commenced a total of 27 adversary proceedings against the Previti Parties and their affiliates. 24 of these adversary proceedings have been dismissed in their entirety, allegedly with zero recovery by the Empire Land bankruptcy estate. The Previti Parties allege in their opposition to the Motion that the Trustee has squandered over \$20 million in pursuing frivolous and unsuccessful litigation" against them and their affiliates. The Trustee disputes both this characterization of his oversight of the litigation and the \$21 million estimate of attorneys' fees and costs expended.

Ms. Cohen left Paul Hastings in April 2017 and joined Glaser Weil Howard Avchen & Shapiro LLP ("Glaser Weil"). Also joining Glaser Weil was Peter Bransten, Esq. ("Mr. Bransten"). Ms. Cohen and Mr. Bransten were the two attorneys spearheading the litigation against the Previti Parties. Ms. Cohen withdrew from Glaser Weil effective September 1, 2018 and formed Samini Cohen Spanos LLP ("Samini Cohen"). She did not take the adversary proceeding litigation with her to her new firm; it remained behind with Glaser Weil.

According to the Trustee's declaration filed in support of the matter now before the Court, Glaser Weil asserted that "it did not have a lawyer who could replace Cohen as lead trial counsel" and moved to withdraw. Over the objection of the Previti Parties, the Court permitted portions of Glaser Weil's motion to withdraw to be redacted for the purpose of preserving the confidentiality of attorney-client communications and attorney work product.

Glaser Weil's motion to withdraw, if granted, would have left the Trustee without trial counsel in the adversary proceeding litigation against the Previti Parties. The Trustee's war chest of funds available to continue the litigation had already been seriously depleted by late 2018, and it is a fair inference the Trustee would have been hard-pressed to find new substitute counsel willing act as trial counsel. The Trustee stated that he would oppose the motion to withdraw, absent a consensual resolution and also that he might assert claims against Glaser Weil and/or Paul Hastings and/or

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, March 12, 2019

Hearing Room 225

2:00 PM

CONT... Empire Land, LLC

Chapter 7

Ms. Cohen in connection with their representation of him.

MEDIATION AND THE RESULTING SETTLEMENT AGREEMENT

At the parties' request (*sans* the Previti Parties), the Court ordered the dispute over Glaser Weil's motion to withdraw into mediation. The mediation occurred before the Honorable Mitchel Goldberg (Ret.) on January 18, 2019 and was successful. The parties agreed upon terms memorialized in the Settlement Agreement and Revised Engagement Agreements now before the Court in connection with the Motion.

The salient terms of the Settlement Agreement and Revised Engagement Agreements are as follows: (1) Ms. Cohen of Samini Cohen and Mr. Bransten of Glaser Weil will continue to act as special litigation counsel for the Trustee in the three adversary proceedings; (2) because the Empire Land bankruptcy estate is short of funds, Ms. Cohen and Mr. Bransten will take the litigation on a contingency fee basis; (3) Paul Hastings will waive its claim for \$797,899.67 in unbilled fees and expenses; (4) Glaser Weil will waive its claim for \$652,820 in fees and expenses; (5) Glaser Weil and Samini Cohen will share equally in a 33 and 1/3 percent contingency fee of any recovery or settlement on account of a judgment, increasing to 40 percent in the event of an appeal;¹ (6) the Trustee will pay all reasonable third-party costs and expenses incurred in the adversary proceedings; (6) the parties will mutually release their claims against one another, including claims for malpractice or professional negligence and for fees and expenses that are not subject to an award for interim allowance as of January 18, 2019; and (7) the Trustee retains the right to object to any interim or final allowance of any fees or expenses incurred prior to January 18, 2019 and to seek disgorgement of any payment for fees and expenses (although query how this interacts with the release of any claim "for fees or expenses incurred in those representations are not subject, as of the Effective Date, to an award for interim allowance" in (6) above?)

THE PREVITI PARTIES' OPPOSITION TO THE MOTION

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, March 12, 2019

Hearing Room 225

2:00 PM

CONT... Empire Land, LLC

Chapter 7

The Previti Parties' opposition to the Motion likens the Trustee to Captain Ahab in *Moby Dick*, alleging that he has spent the last decade in a monomaniacal pursuit of them. They argue that the Motion should be denied because granting it would (1) deprive the bankruptcy estate of "what may be its single most valuable asset: . . . claims for malpractice and/or professional negligence against Peter Bransten, Cynthia Cohen and their law firms" (Opposition at page 6 of 30, lines 24-25); and (2) result in paying Ms. Cohen and Mr. Bransten double what they would have been paid absent the settlement. The opposition also contends that the Motion fails to provide the Court with sufficient information to evaluate the Trustee's potential claims for malpractice against Paul Hastings, Glaser Weil, Mr. Bransten and Ms. Cohen (as well as the Trustee's general bankruptcy counsel, Landau, Gottfried & Berger LLP). The Priviti Parties believe these claims "are worth at least the \$21 million that the Trustee's counsel has wasted to date on frivolous litigation." Opposition at page 16 of 30, lines 20-21. Finally, the Priviti Parties argue that the Court cannot approve the revision of the engagement agreement of Glaser Weil and the Trustee's employment of Samini Cohen under 11 U.S.C. § 327 because those law firms have a conflict of interest and lack competence.

**APPLICABLE STANDARDS FOR DETERMINING A MOTION FOR
APPROVAL OF A SETTLEMENT BROUGHT UNDER BANKRUPTCY
RULE 9019**

A bankruptcy court has great latitude in authorizing a settlement, but it may only approve a proposal that is fair and equitable. *Woodson v. Fireman's Fund Insur. Co.*, 839 F.2d 610, 620 (9th Cir. 1988). In evaluating a proposed settlement under the fair and equitable standard, a bankruptcy court must consider (a) the probability of success in the litigation, with due consideration for the uncertainty in fact and law, (b) the difficulties, if any, to be encountered in the matter of collection, (c) the complexity of the litigation involved, and the expense, inconvenience and delay necessarily attending it; and (d) the paramount interest of the creditors and a proper deference to their reasonable views in the premises. *In re A&C Properties*, 784 F.2d 1377, 1381 (9th Cir. 1986). The bankruptcy trustee, as the party proposing the settlement, has the

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burden of persuading the bankruptcy court that the settlement is fair and equitable and should be approved. *Id.*

The Previti Parties urge the Court to deny the Motion because the Trustee has failed to provide the Court with any accurate assessment of the viability and prospects for malpractice actions against the Trustee's current and former attorneys.

In numbered paragraph 9 of the Trustee's declaration in support of the Motion, the Trustee states that he has met with independent counsel to discuss potential claims that the estates may have against Glaser Weil, Paul Hastings and/or Ms. Cohen and that independent counsel has advised him that any such litigation "would be speculative, complex, and expensive." Further, the Trustee in his declaration states that he believes that his ability to proceed with the three adversary proceedings combined with the elimination of \$1.4 million of alleged administrative claims "far outweighs the value of potential claims against special litigation counsel." In numbered paragraph 12 of his declaration, the Trustee states that (1) the estates "lack current liquidity", (2) he would be unable to pay special litigation counsel on an ongoing basis, and (3) "it is clear that no firm would agree to act as special litigation counsel in these cases absent a contingency fee arrangement."

1. Probability of Success in the Litigation.

The Court has little or no evidence before it that contradicts the Trustee's statements in his declaration about the viability (or lack thereof) of malpractice causes of action against his attorneys (and former attorneys). The Previti Parties offer mere speculation that the estates possess valuable malpractice causes of action. There has been an expenditure of the lion's share of the estates' litigation war chest, and the estates have been left (by the Trustee's own admission) with insufficient financial resources to prosecute the adversary proceedings to completion. But the devil is in the detail in this type of analysis, and there may be explanations other than attorney malpractice as to why the estates have come up short in terms of money for prosecuting the adversary proceedings to completion.

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Malpractice litigation against major law firms such as Paul Hastings and Glaser Weil is a daunting prospect, especially for a bankruptcy estate with very limited funds. Finding an attorney who is willing to take on Paul Hastings and Glaser Weil on a contingency fee basis could well prove to be as difficult or more difficult than finding attorneys to continue the adversary proceedings on a contingency fee basis.

For these reasons, the Court agrees with the Trustee that the probability of success in malpractice litigation against Paul Hasting, Glaser Weil and/ or Ms. Cohen is slim to none. This factor favors approval of the proposed settlement.

2. **The Difficulties, If any, In Collection.**

Because Paul Hastings, Glaser Weil and Ms. Cohen are all very likely to have large malpractice insurance policies, difficulties in collection would likely be minimal. This factor favors denial of settlement approval.

3. **The Complexity of the Litigation Involved, and the Expense, Inconvenience and Delay Necessarily Attending It.**

The Trustee's declaration in numbered paragraph 9 establishes that malpractice litigation against Paul Hastings, Glaser Weil and Ms. Cohen would be both complex and expensive. Although this is expressed in conclusory terms, it carries significant weight in view of the Trustee's decades of experience as a prominent bankruptcy attorney and the fact that he consulted with independent counsel in reaching this conclusion. The Court takes judicial notice that the Trustee is a very experienced bankruptcy attorney and is a name member in the Los Angeles bankruptcy boutique Danning Gill Diamond & Kollitz, LLP.

This factor favors approval of the proposed settlement.

4. **The Paramount Interest of the Creditors and a Deference to Their**

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The paramount interest of creditors is to receive a distribution from the estates pursuant to 11 U.S.C. § 726, and the larger the better. The docket in the main litigation that remains, Adversary Proceeding No. 6:10-ap-1319-MH "(EP-2)" (of which the Court takes judicial notice) is 109 pages long. It shows that the complaint was filed in 2010, that discovery has proceeded over the years, with discovery disputes arising from time to time and motions for protective orders filed and heard. If the choice is between creditors pinning their hope for a distribution from the estates on prevailing in a case that is more than eight years along on the litigation treadmill and will have special trial counsel in place on a contingency fee agreement versus gambling on untested and unknown malpractice claims against deep-pocket defendants where no attorneys for the estate are in place and where the war chest to carry on the litigation is severely depleted, the choice is clear: continuing with EP-2 to completion seems far more likely to yield a return to creditors than changing horses in midstream and embarking on malpractice claims that the Trustee has stated (after consulting with independent counsel) are complex, expensive and speculative. This factor favors approval of the proposed settlement.

With three factors (plus common sense) favoring approval of the settlement and one factor against, the Court has little difficulty concluding that the proposed settlement passes muster under the *A&C Properties* test and should be approved.

OTHER ARGUMENTS OF THE PREVITI PARTIES

The Previti Parties contend that Mr. Bransten and Ms. Cohen are doubling their fees under the proposed revised engagement letters, but this is a mischaracterization of the terms of these agreements. The agreements call for a one-third or forty percent contingency fee, but that fee is capped at an amount equal to the number of hours billed and allowed multiplied by the attorneys' hourly rates multiplied by two. The provision in question caps rather than enlarges the fees payable by the Trustee should the litigation yield a recovery. If there is no recovery, there is no fee. The provision is

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beneficial to the Trustee and the estates, not adverse to them.

The Priviti Parties also argue that approval of Samini Cohen’s employment agreement and Glaser Weil’s revised employment agreement would violate 11 U.S.C. § 327 because these firms have interests adverse to the estate, namely, as defendants in potential malpractice actions to be brought against them (and that they are not disinterested persons). This argument assumes facts not in evidence, namely, that any viable malpractice claim exists in the first place. The evidence is that any such claim would be speculative, complex and expensive. Additionally, the Court would be blind if it did not recognize and take into account that Priviti Parties are clearly adverse to the Trustee – they are defendants in actions brought by the Trustee and have been so for the last decade – and that their arguments about tremendously valuable malpractice actions against their attorney adversaries are obviously tainted with self-interest.

The Priviti Parties’ comparison of the Trustee to Captain Ahab in *Moby Dick* is unproven. However, given the length of this case, the Court would hope that the relevant literary allusion does not become a reference to Charles Dickens’s novel *Bleak House*, where the little girl who was promised a horse when the case of *Jarndyce v. Jarndyce* was decided, grew up, acquired a horse of her own and passed into the next world, all before any judgment had yet been entered.²

The Motion is granted.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Empire Land, LLC

Represented By

James Stang

Robert M Saunders

Michael I Gottfried

----- O'melveny & Myers

Dean A Ziehl

Jonathan A Loeb

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P Sabin Willett
Richard K Diamond (TR)
Jeffrey Rosenfeld

Trustee(s):

Richard K Diamond (TR)

Represented By
Michael I Gottfried
Richard S Berger - SUSPENDED -
Rodger M Landau
Richard K Diamond
Peter M Bransten
Aleksandra Zimonjic
Monica Rieder
Lisa N Nobles
Peter J Gurfein
Paul Hastings
Roye Zur
Amy Evans
Best Best & Krieger
Franklin C Adams
Thomas J Eastmond

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Adv#: 6:16-01167 Shin v. Altman

#2.00

STATUS CONFERENCE re: Complaint by Yun Hei Shin against Murray Altman. fraud as fiduciary, embezzlement, larceny)),(68 (Dischargeability - 523(a)(6), willful and malicious injury))

(Cont. from 1/29/19)

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

For reasons of judicial economy, the Court will continue this status conference to August 8, 2019 at 9:00 a.m. to allow the plan process to continue and conclude.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

Defendant(s):

Murray Altman

Represented By
Andrew S Bisom
Kathleen P March

Plaintiff(s):

Yun Hei Shin

Represented By
Kathleen P March

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#3.00

Hrg. on Third Plan and Disclosure Statement

(Cont. from 1/23/19)

Docket 281

Tentative Ruling:

APPEARANCES REQUIRED.

Evidentiary Objections

Ms. Shin's Objection

Ms. Shin's evidentiary objection to paragraph 5 of the Andrew Bisom declaration is overruled. What the Court found unacceptable in the prior version of the disclosure statement was that the plan did not provide for payment in full of Ms. Shin's claim. In the prior version, Ms. Shin was to be paid certain moneys and then, at the end of the 60 months, if she hadn't previously been paid in full, a 75 percent interest in Desert Springs Financial, LLC ("DSF") would be transferred to her in full satisfaction of her claim. But what if the fair market value of a 75 percent interest in DSF was less than the amount owed to Ms. Shin at that point? In such event, Ms. Shin would not end up being paid in full and the requirements of the absolute priority rule wouldn't have been satisfied. The Court's point was that Ms. Shin had to be paid in full, but the Court did not specify the precise manner in which she would be paid in full. Certainly, a transfer of a 75 percent DSF interest was one way of paying her, but in lieu of such a transfer a cash payment equal to the remaining amount of her claim would work fine just as well. Thus, the Court did not require a transfer of the 75

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percent DSF interest, it required that Ms. Shin be paid in full, however that might be accomplished.

Mr. Altman's Objections

Large swaths of the Shin Declaration are inadmissible because they lack foundation, set forth legal argument and/or expert opinion by a lay witness, or are hearsay or speculative. The Court sustains the objections to numbered paragraphs 2, 3, 4, 5, 9, 10, 11, 13, 14, 15, 16, 17, 19, 20-24, 26-29, 33-35, 37-39 for the reasons advanced by Mr. Altman.

The Court sustains the objections to numbered paragraphs 2 through 43 of the declaration of Kathleen March for the reasons advanced by Mr. Altman and because this is legal argument masquerading as a statement of fact. As Mr. Altman points out, an attorney's legal argument is not evidence.

Similarly, large portions of the Mark Edelman declaration are likewise inadmissible. The Court sustains the objections to the third sentence of numbered paragraph 3, the first sentence of numbered paragraph 6, and numbered paragraphs 7, 8, 9, 10, 11, and 12 as speculative and lacking foundation ("His plan is not credible . . .") and a violation of the best evidence rule (the best evidence of what a judgment provides is the judgment itself, not an attorney's rendition of what the judgment purportedly provides).

The Court sustains objections to Exhibits A and B attached to Shin's Response to Evidentiary Objections to Declarations of Yun Hei Shin, Kathleen P. March and Mark Edelman (the "Response") on the ground that the Response is an unauthorized pleading in that it seeks to enlarge the record in this case in an impermissible fashion and because the Exhibits sought to be introduced lack foundation and are not properly authenticated.

The Third Amended Disclosure Statement

Debtor Murray Altman ("Mr. Altman") has moved the Court to approve his Third

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Amended Disclosure Statement. Ms. Angie Shin ("Ms. Shin"), the major creditor in this chapter 11 case, objects to the approval on approximately 29 different grounds. The Court addresses these objections in turn.

Ms. Shin's first objection is that plan is patently non-confirmable. This argument is not directly supported by any specific reasons, although it may be inferred that Ms. Shin's some of her 28 other objections to disclosure statement approval can be read as supporting it. Many of these objections presumably will be raised at the plan confirmation hearing, at which point the Court will address them. Suffice it to say here that Ms. Shin has not shown the plan to be patently non-confirmable.

Her second objection is that the plan is filed in bad faith because it does not provide for Mr. Altman surrendering his 75 percent interest in Desert Springs Financial, LLC ("DSF") to Ms. Shin. Although Ms. Shin obviously would prefer that Mr. Altman's plan contain such a provision, his failure to include the provision in his plan does not prove bad faith.

Her third objection is that the plan provides for Mr. Altman to retain his property (specifically and most notably, his 75 percent interest in DSF) but does not pay all creditors in full, thereby violating the absolute priority rule. *See Zachery v. California Bank & Trust*, 811 F.3d 1191 (9th Cir. 2016). On the contrary, the plan in fact provides for paying all creditors in full except to the extent they have agreed to accept less than full payment. Ms. Shin likely disagrees that the plan provisions for paying all creditors in full are feasible, but that is an issue for the plan confirmation hearing.

Her fourth objection is that the plan improperly provides for paying Ms. Shin's unsecured claim owed to her of \$485,468 with an offset of management fees owed to Mr. Altman by DSF. This is a misreading of the plan. The plan specifically provides on page 6 of 14, lines 12-14 that "Debtor will apply the accrued but unpaid management fees to reduce DSF's claim." Moneys owed to Ms. Shin in respect of her unsecured claim will be paid, at least in part, from Mr. Altman's profits from developing the Cathedral City Property.

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Her fifth objection is that Mr. Altman is retaining his golf club membership and assets in his wife's name in violation of the absolute priority rule because he is not paying Ms. Shin in full. This argument has been considered and rejected above, for the reasons stated.

Her sixth objection is that there is no evidence that DSF can develop its 7-acre vacant lot within 5 years or make enough money to pay Ms. Shin in full. This is an argument for the plan confirmation hearing, not the disclosure statement hearing. In any event, the declaration of Murray Altman in support of the Third Amended Disclosure Statement and the exhibits thereto establish the *prima facie* reasonability of the proposal to develop the Cathedral City Property and reap profits therefrom.

Her seventh objection is that the plan is infeasible. This is another argument for the plan confirmation hearing, not the disclosure statement hearing. Suffice it to say here that Mr. Altman has made out a *prima facie* case that the plan he is proposing is not infeasible. Sources of funds under the plan consist of \$378,000 of accrued but unpaid DSF management fees, \$570,000 of future DSF management fees (\$9,500 per month times 60 months), \$2,868,750 in projected profits attributable to Mr. Altman's 75 percent share of DSF with respect to the development of the Cathedral City Property, Mitchell Altman's \$160,380 new value contribution, and Mr. Altman's disability income of \$423,480 (\$7,058 times 60 months). These amounts aggregate \$4,400,610. Uses of funds under the plan consist of the payment of Ms. Shin's asserted claim of \$2,769,304, general unsecured claims of \$481,350, \$213,635 of payments on the first and second trust deeds and administrative priority claims of about \$125,000. These amounts total \$3,589,289. Thus, sources of funds exceed uses of funds by over \$800,000. By this analysis, the plan is comfortably feasible by a considerable margin.

Ms. Shin's eighth objection is that the "new value" being contributed under the plan is less than the net value of Mr. Altman's non-exempt property. The new value consists of, at a minimum, Mr. Altman's disability income of \$23,480 over 60 months, Mitchell Altman's contribution of \$160,380 and Mrs. Altman's Social Security income (about \$50,000 over 60 months). New value thus aggregates over \$690,000, an amount far exceeding the net value of Mr. Altman's non-exempt property,

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considering that the amount of Ms. Shin's \$2,005,012 lien against Mr. Altman's property must be subtracted from the gross value of such property to arrive at its net value. (Although the contribution of Mr. Altman's management fees would also seem to constitute new value, the Court recognizes that his entitlement to such fees is being challenged by Ms. Shin, and for the sake of conservative analysis the Court does not take such item into account for purposes of analyzing this objection).

Ninth, Ms. Shin contends that the plan is non-confirmable for failure to comply with 11 U.S.C. § 1129(a)(7) because the amount creditors are being paid under the plan is less than what they would be paid in a chapter 7 liquidation. Ms. Shin correctly points out that in a chapter 7 liquidation, the trustee would sell all of Mr. Altman's non-exempt property. However, such a sale would, economically speaking, be premature because it would forgo the increase in value that is projected to occur as a result of the Cathedral City Property's development as shown by Mr. Altman. Such development is projected to permit creditors to be repaid in full, a result that perhaps might be equaled but could not be exceeded in a chapter 7 liquidation. More likely, however, a chapter 7 liquidation and its attendant costs would result in creditors being paid less than 100 percent, a poorer result than the result projected to occur as a result of the reorganization.

Tenth, Ms. Shin argues that the plan mis-classifies her secured claim by transferring it to Class 4c and treating it in the same manner as her unsecured claim. But this is a misreading of the plan. The plan provides for treating Ms. Shin's secured claim in Class 3 – assuming Mr. Altman's preference action against Ms. Shin is unsuccessful – in the same manner as her unsecured claim is treated. This is simply a statement of how the secured claim is to be paid; it is not a transfer of the secured claim to Class 4c. However, Ms. Shin's point in this objection is well taken in the sense that the plan must provide for the payment of interest on Ms. Shin's secured claim under 11 U.S.C. § 1129(b)(2)(A)(II) because otherwise she would not have received "on account of such claim deferred cash payments . . . of a value, as of the effective date of the plan, of at least the value of such holder's interest in the estate's interest in such property". Unless the plan is modified to provide for the payment of a proper rate of interest on

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Ms. Shin's secured claim, the plan cannot be confirmed. At the disclosure statement hearing, the Court will ask Mr. Altman and Ms. Shin for their views on the proper cramdown interest rate applicable here.

Eleventh, Ms. Shin argues that the plan is vague as to the source of the \$36,500 quarterly payments. The Court agrees and will require Mr. Altman to specify the source or sources of such moneys (presumably, moneys coming into the estate or the reorganized debtor from new value contributions, but the Court will leave the precise identification of the source of funds to Mr. Altman's counsel).

Twelfth, Ms. Shin points out that a plan provision barring creditors from suing on obligations provided for under the plan is improper as it pertains to Ms. Shin's claims if she succeeds in establishing that such claims are excepted from discharge under 11 U.S.C. § 523. Ms. Shin contends that where debt is held to be non-dischargeable, the automatic stay expires as to such debt. No authority is cited for such proposition. Indeed, a brief survey of the law strongly suggests that Ms. Shin's analysis of this issue is incorrect. 11 U.S.C. § 362(c) provides that the automatic stay ceases to apply as against property when such property ceases to be property of the estate and, as to any other act, the earliest of dismissal of the case, closing of the case or the granting or denial of a discharge. Here, Mr. Altman will not be receiving a discharge until the completion of all payments under the plan. 11 U.S.C. § 1141(d)(5)(A). Under Plan Article 5(C) property of the estate does not revert in Mr. Altman until the plan is completed. This suggest the automatic stay remains in effect notwithstanding any judgment that amounts owed to Ms. Shin are excepted from discharge. *See also In re Watson*, 78 B.R. 267, 270-271 (Bankr. C.D. Cal. 1987) (Bufford, J.) ("A nondischargeability judgment . . . does not terminate the automatic stay: the stay continues until a discharge is granted or denied"). The Court determines that Ms. Shin has not made a sufficient showing as to the this asserted issue.

Ms. Shin's remaining arguments are without merit in the context of a disclosure statement hearing, although her rights are certainly reserved to raise them at the confirmation hearing.

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The Court will approve the disclosure statement contingent upon modification of the plan to provide for the payment of interest on both secured and unsecured claims and the insertion of information about the source of the quarterly payments.

The Court will require the plan and disclosure statement, together with balloting materials, to be filed and served on or before March 26, 2019. Ballots and objections to the plan are due on or before May 3, 2019. Replies to objections and a plan confirmation memorandum are due May 24, 2019. The Court sets the plan confirmation hearing for June 20, 2019 at 2:00 p.m. The plan confirmation hearing shall be held at the Ronald Reagan United States Courthouse at 411 West Fourth Street, Courtroom 6C, Santa Ana, California. Videoconferencing from Riverside will not be available. _

The Court will receive live testimony of witnesses at the plan confirmation hearing as well as admissible exhibits. Each party who desires to present live testimony at the confirmation hearing and to introduce documents into evidence shall, on or before June 3, 2019, file with the Court and serve on the opposing party and the United States Trustee (1) a list of witnesses to be called, together with a brief synopsis of their anticipated testimony and (2) a copy of each document sought to be introduced into evidence.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

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Adv#: 6:18-01121 Altman v. Shin

#4.00

PRE-TRIAL CONFERENCE re: Complaint by Murray Altman against Yun Hei Shin. (Charge To Estate). Nature of Suit: (12 (Recovery of money/property - 547 preference)),(14 (Recovery of money/property - other))

(Advanced from 3/14/19)

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will re-set the pretrial conference to May 16, 2019 at 9:00 a.m. and will order the parties to meet and confer in order to arrive at a joint proposed pretrial stipulation. Additionally, this will give the Court an opportunity to hear Plaintiff's motion for leave to amend the complaint.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

Defendant(s):

Yun Hei Shin

Represented By
Kathleen P March

Plaintiff(s):

Murray Altman

Represented By
Andrew S Bisom

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6:16-15248 Murray Altman

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#5.00

Hrg. re Motion, of Yun Hei Shin, moving for order dismissing Altmans Ch.11 case, with a 180 Day bar against filing any additional bankruptcy Case, for cause, Including improper diminution of bankruptcy estate; 2nd amended plan is not confirmable; bad faith; and undue delay prejudicial to creditors'

(Cont.from 1/29/19)

Docket 289

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the hearing on this motion to May 30, 2019 at 2:00 p.m. to give Debtor a fair opportunity to confirm a plan of reorganization.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

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6:16-15248 Murray Altman

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#6.00

Hrg. on Motion By United States Trustee To Dismiss Or Convert Chapter 11 Case

(Cont. from 1/29/19)

Docket 274

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the hearing on this motion to May 30, 2019 at 2:00 p.m. to give Debtor an opportunity to analyze Mr. Altman's expenditures and file a pleading in response to the U.S. Trustee's reply.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

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6:16-15248 Murray Altman

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#7.00

Hrg. on Chapter 11 Status Conference

(Cont. from 1/29/19)

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into compliance with U.S. Trustee guidelines and requirements.

Next status conference: June 20, 2019 at 2:00 p.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

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6:16-19048 Mario Alfaro Bello and Minerva Alfaro

Chapter 7

#8.00

Hrg. on approval of trustee's final report; application for compensation

Docket 0

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the application and allow:

Trustee's fees: \$1,550.00

Trustee's expenses: \$0.00

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Mario Alfaro Bello

Represented By
James Geoffrey Beirne

Joint Debtor(s):

Minerva Alfaro

Represented By
James Geoffrey Beirne

Trustee(s):

Howard B Grobstein (TR)

Pro Se

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6:17-17312 Flem Earl McMillan and Lydia Ventura McMillan

Chapter 11

#9.00

Hrg. on Application filed 1/30/19 for Final Application for Approval of Fees and Reimbursement of Expenses Todd L Turoci, Debtor's Attorney, Period: 6/30/2018 to 10/29/2018, Fee: \$10,447.50, Expenses: \$59.13

EH_____

Docket 113

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

The Court will approve on a final basis fees of \$9,947 and expenses of \$59.13 and will approve on a final basis the previous interim fee award of \$25,902.50 and \$1,116.29 in expenses.

APPLICANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Flem Earl McMillan

Represented By
Todd L Turoci
Todd L Turoci

Joint Debtor(s):

Lydia Ventura McMillan

Represented By
Todd L Turoci
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, March 12, 2019

Hearing Room 225

2:00 PM

6:17-17871 Carol Teresa Mallier

Chapter 7

#10.00

Hrg. on approval of trustee's Final Report; Applications for Compensation

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the application and allow:

Trustee's fees: \$11,250.00

Trustee's expenses: \$493.38

Donald T. Fife, tax preparation fees of \$1,000.00, expenses of \$0.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Carol Teresa Mallier

Represented By
Seema N Sood

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, March 12, 2019

Hearing Room 225

2:00 PM

6:18-11052 Dorian J Rowton and Ariane S Rowton

Chapter 7

#11.00

Hrg. on approval of Trustee's Final Report; Applications for Compensation

Docket 0

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the application and allow:

Trustee's fees: \$1,391.80

Trustee's expenses: \$21.47

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Dorian J Rowton

Represented By
Sundee M Teeple

Joint Debtor(s):

Ariane S Rowton

Represented By
Sundee M Teeple

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, March 12, 2019

Hearing Room 225

2:00 PM

6:18-18135 Damien Latrell Rogers

Chapter 7

#12.00

Hrg. on Debtor's Motion filed 1/28/19 For Contempt against Fair for their intentional violation of the automatic stay

Docket 15

***** VACATED *** REASON: Cont. to 4/9/19 @ 2:00 p.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Damien Latrell Rogers

Represented By
Steven A Alpert
L. Tegan Rodkey

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, March 12, 2019

Hearing Room 225

2:00 PM

6:18-19292 Daniel James Dykema and Xiao Yan Dykema

Chapter 7

#13.00

Hrg. on Chapter 7 Trustees Motion filed 2/15/19 for Order Directing Debtors to Turnover Property of the Estate (Vehicle, Records, Tax Returns)

Docket 21

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Daniel James Dykema

Represented By
M. Wayne Tucker

Joint Debtor(s):

Xiao Yan Dykema

Represented By
M. Wayne Tucker

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

9:00 AM

6:16-19764 Wayne Earl Parker and Kristine Marie Parker

Chapter 7

#1.00

Hrg. on Order to Show Cause why Timothy L. McCandless Should not be held in contempt of court pursuant to 11 U.S.C. §105 and Federal Rules of Bankruptcy Procedure 9020

Docket 0

*** VACATED *** REASON: Cont. to 5/8/19 @ 9:00 a.m. per order entered on 3/4/19 - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Wayne Earl Parker

Represented By
Timothy L McCandless

Joint Debtor(s):

Kristine Marie Parker

Represented By
Timothy L McCandless

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

9:00 AM

8:17-11749 Dean Lavar Corbin and Lianne Corbin

Chapter 11

#2.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 5/2/17)

FR: 7-5-17; 11-15-17; 3-7-18; 6-13-18; 10-24-18; 12-12-18; 1-23-19

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court has reviewed the status report and found it helpful. The Court will inquire into Mr. Neskovic's view of the case.

Next status conference: to be determined.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Dean Lavar Corbin

Represented By
Michael Jones

Joint Debtor(s):

Lianne Corbin

Represented By
Michael Jones

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

9:00 AM

8:19-10058 Joy Omoderi Amagboruju Miles

Chapter 11

#3.00

STATUS CONFERENCE Hearing RE: (1) Status of Chapter 11 Case; And (2) Requiring Report On Status Of Chapter 11 Case (Petition filed 1/7/19)

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into the Debtor's compliance with U.S. Trustee guidelines and requirements.

The Court will set the bar date at May 31, 2019 and will require notice of the bar date to be filed and served by March 27, 2019. The deadline for objecting to claims will be set at 90 days after the effective date of a plan of reorganization.

The Court will set a deadline of September 30, 2019 for filing a plan and disclosure statement and a deadline of December 31, 2019 for confirming a plan.

Next status conference: August 7, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Joy Omoderi Amagboruju Miles

Represented By
Onyinye N Anyama

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

9:00 AM

8:18-10905 Michael William Devine
Adv#: 8:18-01121 Getson et al v. Devine

Chapter 7

#4.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Determine The Dischargeability Of Debt Pursuant To 11 U.S.C. Section 523(a)(2)(a) Complaint filed 6/29/18)

FR: 9-19-18

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into the results of mediation.

The Court will set the pretrial conference for June 19, 2019 at 9:00 a.m. **Parties shall comply with Local Bankruptcy Rule 7016-1.**

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Michael William Devine

Represented By
Christopher J Langley

Defendant(s):

Michael William Devine

Pro Se

Plaintiff(s):

Lisa Getson

Represented By
Mitchell B Hannah

Todd Lansinger

Represented By
Mitchell B Hannah

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

9:00 AM

CONT... Michael William Devine

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

9:00 AM

8:18-11759 Chester Davenport

Chapter 7

Adv#: 8:18-01193 Basho Technologies Holdco C, LLC et al v. Chester

#5.00

Hearing RE: Motion To Withdraw As Defendant Chester C. Davenport's Counsel
(Motion filed 2/8/19)

Docket 14

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion, conditioned upon the Debtor's attorney providing the Trustee with Debtor's telephone number, street address and email address.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Chester Davenport

Represented By
Michael Jay Berger

Defendant(s):

Davenport C. Chester

Represented By
Michael Jay Berger

Plaintiff(s):

Basho Technologies Holdco C, LLC

Represented By
Bradley Gardner
Randy B Soref
Michael Jay Berger

Basho Technologies Holdco E, LLC

Represented By
Bradley Gardner
Randy B Soref
Michael Jay Berger

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

9:00 AM

CONT... Chester Davenport

Chapter 7

Hunoby Enterprises, LLC

Represented By
Bradley Gardner
Randye B Soref
Michael Jay Berger

Earl P. Galleher III

Represented By
Bradley Gardner
Randye B Soref
Michael Jay Berger

Basho Technologies Holdco B, LLC

Represented By
Randye B Soref
Bradley Gardner
Michael Jay Berger

Trustee(s):

Karen S Naylor (TR)

Represented By
Kathleen J McCarthy
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

9:00 AM

8:18-11759 Chester Davenport

Chapter 7

Adv#: 8:18-01193 Basho Technologies Holdco C, LLC et al v. Chester

#5.10

Hearing RE: Plaintiff's Motion To Strike Defendant's Affirmative Defenses
(Motion filed 2/20/19)

Docket 17

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue this hearing to April 10, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Chester Davenport

Represented By
Michael Jay Berger

Defendant(s):

Davenport C. Chester

Represented By
Michael Jay Berger

Plaintiff(s):

Basho Technologies Holdco C, LLC

Represented By
Bradley Gardner
Randye B Soref
Michael Jay Berger

Basho Technologies Holdco E, LLC

Represented By
Bradley Gardner
Randye B Soref
Michael Jay Berger

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

9:00 AM

CONT... Chester Davenport
Hunoby Enterprises, LLC

Chapter 7

Represented By
Bradley Gardner
Randye B Soref
Michael Jay Berger

Earl P. Galleher III

Represented By
Bradley Gardner
Randye B Soref
Michael Jay Berger

Basho Technologies Holdco B, LLC

Represented By
Randye B Soref
Bradley Gardner
Michael Jay Berger

Trustee(s):

Karen S Naylor (TR)

Represented By
Kathleen J McCarthy
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

9:00 AM

8:18-11759 Chester Davenport

Chapter 7

Adv#: 8:18-01208 Eastwest Partners Investment, LLC v. Davenport

#6.00

Hearing RE: Motion To Withdraw As Defendant Chester C. Davenport's
Counsel
(Motion filed 12/8/19)

Docket 8

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion, conditioned upon the Debtor's attorney providing the Trustee with Debtor's telephone number, street address and email address.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Chester Davenport

Represented By
Michael Jay Berger

Defendant(s):

Chester Davenport

Represented By
Michael Jay Berger

Plaintiff(s):

Eastwest Partners Investment, LLC

Represented By
Stella A Havkin

Trustee(s):

Karen S Naylor (TR)

Represented By
Kathleen J McCarthy
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

9:00 AM

8:18-12038 John J Bruno

Chapter 13

Adv#: 8:18-01167 Anderson v. Bruno

#7.00

Hearing RE: Plaintiff's Motion For Default Judgment Under LBR 7055-1
(Motion filed 2/11/19)

Docket 20

***** VACATED *** REASON: OFF CALENDAR - ORDER DISMISSING
COMPLAINT AND DENYING MOTION FOR ENTRY OF DEFAULT
JUDGMENT ENTERED 3-1-19 [DOCKET NO. [23]]**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

John J Bruno

Represented By
Daniel King

Defendant(s):

John Bruno

Pro Se

Plaintiff(s):

Elizabeth Anderson

Represented By
Leona R Singer

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

9:00 AM

8:17-14793 Jason Andrew Balthasar

Chapter 7

Adv#: 8:18-01029 BMB Auto, LLC v. Balthasar

#8.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Determine Dischargeability Of Debt Pursuant To 11 U.S.C. Sections 523(a)(2)(A) And 523(a)(2)(B)
(Complaint filed 2/6/18)

FR: 4-25-18; 12-12-18

Docket 1

***** VACATED *** REASON: OFF CALENDAR; ORDER APPROVING
STIPULATION FOR DISMISSAL OF ADVERSARY PROCEEDING
ENTERED 1/11/19 (Docket Entry No. [23])**

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will issue a scheduling order:

All discovery shall close on October 31, 2018.

All discovery motions shall be heard before November 30, 2018.

Next status conference: December 12, 2018 at 9:00 a.m.

Parties to file a mediation stipulation and lodge order thereon on or before May 31, 2018.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Jason Andrew Balthasar

Represented By
Kevin Tang

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

9:00 AM

CONT... Jason Andrew Balthasar

Chapter 7

Defendant(s):

Jason Andrew Balthasar

Represented By
D Edward Hays

Plaintiff(s):

BMB Auto, LLC

Represented By
Randall P Mroczynski

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

9:00 AM

8:18-13522 **Mohammad Ali Kharazmi**

Chapter 11

#9.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 9/24/18)

FR: 12-12-18; 1-23-19

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER GRANTING
UNITED STATES TRUSTEE'S MOTION TO DISMISS CASE ENTERED 1
-31-19 (DOCKET NO. [59])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Mohammad Ali Kharazmi

Represented By
Leonard Pena

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

9:00 AM

8:18-10324 Alexander Mark Christian Isaly

Chapter 7

Adv#: 8:18-01078 Heritage Law LLP v. Isaly

#10.00

Hearing RE: Motion To Dismiss Adversary Proceeding For Determination Of Dischargeability And Objecting To Debtor's Discharge Pursuant To 11 U.S.C. Section 523 And 11 U.S.C. Section 727
(Motion filed 2/20/19)

Docket 12

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Alexander Mark Christian Isaly

Represented By
Anthony B Vigil
Jeffrey G Jacobs

Defendant(s):

Alexander Mark Christian Isaly

Represented By
Jeffrey G Jacobs

Joint Debtor(s):

Michele Leann Isaly

Represented By
Anthony B Vigil

Plaintiff(s):

Heritage Law LLP

Represented By
Erik E Woodbury

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

9:00 AM

CONT... Alexander Mark Christian Isaly

Chapter 7

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

9:00 AM

8:18-10324 Alexander Mark Christian Isaly

Chapter 7

Adv#: 8:18-01078 Heritage Law LLP v. Isaly

#11.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Amended Complaint For
Determination Of Dischargeability And Objecting To Debtor's Discharge
Pursuant To Sections 523 And 727 Of The Bankruptcy Code
(Complaint filed 5/3/18)
(Amended Complaint filed 6/18/18)
(PTC set at S/C held 7/25/18)

FR: 2-27-19

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the pretrial conference to April 17, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Alexander Mark Christian Isaly

Represented By
Anthony B Vigil

Defendant(s):

Alexander Mark Christian Isaly

Pro Se

Joint Debtor(s):

Michele Leann Isaly

Represented By
Anthony B Vigil

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

9:00 AM

CONT... Alexander Mark Christian Isaly

Chapter 7

Plaintiff(s):

Heritage Law LLP

Represented By
Erik E Woodbury

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

10:00 AM

8:19-10162 Heriberto Marin

Chapter 7

#1.00

Hearing RE: Pro se Reaffirmation Agreement Between Debtor And Santander Consumer USA, Inc.
(Motion filed 2/13/19)

**[RE: 2016 Nissan Sentra - Amount: \$16,384.44]
[VIN No. 3N1AB7AP3GY252752]**

Docket 15

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will deny the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Heriberto Marin

Represented By
Frank P Peterson

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

2:00 PM

8:18-13848 Carl J. Strasky, III and Cynthia D. Strasky

Chapter 13

#1.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 12-12-18; 1-9-19; 2-6-19

Docket 31

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Carl J. Strasky III

Represented By
Christine A Kingston

Joint Debtor(s):

Cynthia D. Strasky

Represented By
Christine A Kingston

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

2:00 PM

8:18-14535 Kirolous A. Awad and Maria Awad

Chapter 13

#2.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 2-6-19

Docket 16

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Kirolous A. Awad

Represented By
Tina H Trinh

Joint Debtor(s):

Maria Awad

Represented By
Tina H Trinh

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

2:00 PM

8:18-14648 Stephen Lawrie

Chapter 13

#3.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 2-6-19

Docket 23

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Stephen Lawrie

Represented By
Andy C Warshaw

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

2:00 PM

8:18-14679 Virginia Ann Von Schaefer

Chapter 13

#4.00

Hearing RE: Confirmaiton Of Chapter 13 Plan

Docket 17

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Virginia Ann Von Schaefer

Represented By
Omero Banuelos

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

2:00 PM

8:18-14706 Liem T. Nguyen and Dung Xuan Ho

Chapter 13

#5.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 23

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Liem T. Nguyen

Represented By
Bert Briones

Joint Debtor(s):

Dung Xuan Ho

Represented By
Bert Briones

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

2:00 PM

8:19-10181 Michael Leelin

Chapter 13

#6.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 2

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Leelin

Represented By
Julie J Villalobos

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

2:00 PM

8:19-10188 Mehdi Eskandarloo

Chapter 13

#7.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 16

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Mehdi Eskandarloo

Represented By
Michael Jay Berger

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar

Wednesday, March 13, 2019

Hearing Room 6C

2:00 PM

8:19-10005 Wendy Christine DeMeo

Chapter 13

#8.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL FOR FAILURE TO FILE SCHEDULES, STATEMENTS,
AND/OR PLAN ENTERED 1-22-19 - (DOCKET NO. [14])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Wendy Christine DeMeo

Represented By
Michael G Spector

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

2:00 PM

8:19-10046 Starr Yolanda Berglund

Chapter 13

#9.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL FOR FAILURE TO FILE SCHEDULES, STATEMENTS,
AND/OR PLAN ENTERED 1-29-19 - (DOCKET NO. [7])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Starr Yolanda Berglund

Pro Se

Trustee(s):

Amrane (RS) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

2:00 PM

8:19-10098 Marsha Loraine Lewis

Chapter 13

#10.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL FOR FAILURE TO FILE SCHEDULES, STATEMENTS,
AND/OR PLAN ENTERED 1-28-19 - (DOCKET NO. [9])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Marsha Loraine Lewis

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

3:00 PM

8:14-12280 Steven Allen Frey

Chapter 13

#1.00

CONT'D Hearing RE: Trustee's Verified Motion To Dismiss Case Due To
Material Default Of A Plan Provision
(Motion filed 11/7/18)

FR: 1-9-19; 2-6-19

Docket 161

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and dismiss the case.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Steven Allen Frey

Represented By
Christopher J Langley

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

3:00 PM

8:14-13682 Debby Anspach

Chapter 13

#2.00

Hearing RE: Trustee's Notice Of Intent To Increase Dividend To Unsecured Creditors
(Set per Notice of Hearing filed 1/2/19)

Docket 471

Tentative Ruling:

APPEARANCES REQUIRED.

No Court ruling is required.

Party Information

Debtor(s):

Debby Anspach

Represented By
Holly Roark
Cameron H Totten

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

3:00 PM

8:14-13682 Debby Anspach

Chapter 13

#3.00

Hearing RE: Trustee's Verified Motion For Order Moifying The Chapter 13 Plan
(Motion filed 2/4/19)
(Opposition filed 2/26/19)

Docket 475

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will deny the motion.

Increases in income alone tell only part of the story. The Chapter 13 Trustee has set forth no evidence that expenses have not increased as well.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Debby Anspach

Represented By
Holly Roark
Cameron H Totten

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

3:00 PM

8:14-13682 Debby Anspach

Chapter 13

#4.00

Hearing RE: Trustee's Verified Motion For Order Re-Converting Case From Chapter 13 To Chapter 7
[11 USC 1307(c)(6)]
(Motion filed 2/5/19)

Docket 477

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will deny the motion. Debtor's explanation for failure to provide the 2018 tax returns -- that they are not yet due and haven't been fully prepared -- and for missing plan payments -- an ACH snafu -- is acceptable to the Court.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Debby Anspach

Represented By
Holly Roark
Cameron H Totten

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

3:00 PM

8:14-13682 Debby Anspach

Chapter 13

#4.10

Hearing RE: Motion Under Local Bankruptcy Rule 3015-1 (n) And (w) To
Modify Plan Or Suspend Plan Payments
(Motion filed 2/16/19)
(OST Entered 2/20/19)

Docket 481

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Debby Anspach

Represented By
Holly Roark
Cameron H Totten

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

3:00 PM

8:14-13682 Debby Anspach

Chapter 13

#4.20

Hearing RE: Application For Supplemental Fees For The Period From April 14, 2016 Through March 13, 2019
(Application filed 2/15/19)
(OST Entered 2/20/19)

**[RE: HOLLY ROARK - Attorney For Debtor]
[Fees: \$21,417.50; Expenses: \$217.62]**

Docket 479

Tentative Ruling:

APPEARANCES REQUIRED.

The request for allowance of \$24,417.50 in fees and \$217.62 in expenses is reasonable and, standing alone, the Court would approve it. However, the Court will not approve a transaction resulting in nonpriority general unsecured creditors receiving less than \$32,304.04 unless a revised liquidation analysis can be supported. If the parties can devise a method of making both of these things work, the Court will approve it.

Based on Debtor's reply, the Court will approve supplemental fees of \$18,599.14 if the Court's condition stated above is met.

Party Information

Debtor(s):

Debby Anspach

Represented By
Holly Roark
Cameron H Totten

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

3:00 PM

8:16-13819 Joan Ellen Yates

Chapter 13

#5.00

Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding For Failure To Make Plan Payments [11 U.S.C. 1307(c)]
(Motion filed 2/6/19)
(Opposition filed 2/15/19)
(Set per Notice of Hearing filed 2/15/19)

Docket 65

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and dismiss the case.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Joan Ellen Yates

Represented By
Allan S Williams

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

3:00 PM

8:17-12279 Brian Edward McDonald

Chapter 13

#6.00

Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding For Failure To Make Plan Payments (Motion filed 1/8/19) (Opposition filed 1/18/19)

Docket 55

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and dismiss the case.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Brian Edward McDonald

Represented By
Charles J Brash

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar

Wednesday, March 13, 2019

Hearing Room 6C

3:00 PM

8:17-12759 Bette Mae Doremus and Wilmington Savings Fund Society,

Chapter 13

#7.00

Hearing RE: Application For Supplemental Fees:
Application filed 12/28/18)
(Set per Notice of Hearing filed 2/7/19)

**[RE: CHRISTOPHER J. LANGLEY - Attorney For Debtor]
[Fees: \$425.00; Expenses: \$0.00]**

Docket 95

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF
WITHDRAWAL OF APPLICATION FILED 2-15-19 - (Docket No. [104])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Bette Mae Doremus

Represented By
Christopher J Langley

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

3:00 PM

8:17-13687 Michael Carlisle and Elizabeth Carlisle

Chapter 13

#8.00

Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding For Failure To Make Plan Payments [11 U.S.C. 1307(c)] (Motion filed 1/8/19) (Opposition filed 1/31/19) (Set per Notice of Hearing filed 1/31/19)

Docket 42

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion unless all required plan payments are brought current by the date of the hearing.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Michael Carlisle

Represented By
Julie J Villalobos

Joint Debtor(s):

Elizabeth Carlisle

Represented By
Julie J Villalobos

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

3:00 PM

8:18-12600 Shakeel Ahmed

Chapter 13

#9.00

Hearing RE: Motion Of United States Trustee To Determine Whether Compensation Paid To Counsel Was Excessive Under 11 U.S.C. Section 329 And F.R.B.P. 2017 And To Order Counsel To File A 2016(b) Statement (Motion filed 2/5/19)

Docket 59

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and require Bahram Madaen, on or before April 15, 2019, to file with the Court and serve on the U.S. Trustee the disclosure of attorney compensation form for June 2018 and July 2018 cases and state court retainer agreements, bankruptcy retainer agreement and attorney-client ledger.

UNITED STATES TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Shakeel Ahmed

Represented By
Bahram Madaen

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

3:00 PM

8:18-11621 Christine K Roberts

Chapter 13

#10.00

Hearing RE: Motion Under Local Bankruptcy Rule 3015-1 (n) And (w) To Modify Plan Or Suspend Plan Payments
(Motion filed 1/28/19)
(Set per Trustee's Comments or Objection filed 2/19/19)

Docket 67

***** VACATED *** REASON: OFF CALENDAR - WITHDRAWAL OF
MOTION FILED 3-12-19 - (DOCKET NO. [93])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Christine K Roberts

Represented By
Bruce D White

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 13, 2019

Hearing Room 6C

3:00 PM

8:15-15792 James Jinwoo Kim

Chapter 13

#11.00

Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13
Proceeding For Failure To Make Plan Payments
[11 U.S.C. 1307(c)]
(Motion filed 2/6/19) (Response filed 2/20/19)
(Notice of Hearing filed 2/20/19)

Docket 198

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and dismiss the case.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

James Jinwoo Kim

Represented By
Amanda G Billyard
Andy C Warshaw

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 14, 2019

Hearing Room 225

9:00 AM

6:16-15248 Murray Altman

Chapter 11

Adv#: 6:18-01121 Altman v. Shin

#1.00

PRE-TRIAL CONFERENCE re: Complaint by Murray Altman against Yun Hei Shin. (Charge To Estate). Nature of Suit: (12 (Recovery of money/property - 547 preference)),(14 (Recovery of money/property - other))

Docket 1

***** VACATED *** REASON: Advanced to 3/12/19 @ 2:00 p.m. by order signed on 1/23/19- jc**

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will issue a scheduling order:

All discovery shall close on December 31, 2018.

All discovery motions shall be heard before January 15, 2019.

All pretrial motions (except motions in limine) shall be heard before February 15, 2019.

Pretrial conference is set for March 14, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

Defendant(s):

Yun Hei Shin

Represented By
Kathleen P March

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 14, 2019

Hearing Room 225

9:00 AM

CONT... Murray Altman

Chapter 11

Plaintiff(s):

Murray Altman

Represented By
Andrew S Bisom

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 14, 2019

Hearing Room 225

9:00 AM

6:16-20446 BioData Medical Laboratories, Inc.

Chapter 7

Adv#: 6:18-01119 Todd A. Frealy, Chapter 7 Trustee of the Bankruptc v. Uomoto et al

#2.00

STATUS CONFERENCE re: Complaint by Todd A. Frealy, Chapter 7 Trustee of the Bankruptcy Estate of BioData Medical Laboratories, Inc. against Akemi Uomoto, Henry Wallach. (Charge To Estate \$350). (Attachments: # 1 Adversary Cover Sheet) Nature of Suit: (14 (Recovery of money/property - other))

(Cont. from 11/8/18)

Docket 0

***** VACATED *** REASON: Continued to May 16, 2019 at 9:00 a.m. per stip order entered on 2/28/19 - slh**

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will order this adversary proceeding into mediation. The parties shall file a mediation stipulation and lodge an order thereon on or before December 7, 2018.

Next status conference: March 14, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

BioData Medical Laboratories, Inc.

Represented By
Robert M Yaspan
Joseph N Darweesh

Defendant(s):

Akemi Uomoto

Represented By
Zev Shechtman

Henry Wallach

Represented By
Zev Shechtman

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 14, 2019

Hearing Room 225

9:00 AM

CONT... BioData Medical Laboratories, Inc.

Chapter 7

Plaintiff(s):

Todd A. Frealy, Chapter 7 Trustee of

Represented By
Kurt Ramlo
Juliet Y Oh
Eve H Karasik
Todd A Frealy

Trustee(s):

Todd A. Frealy (TR)

Represented By
Eve H Karasik
Jeffrey S Kwong
Juliet Y Oh
Carmela Pagay

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 14, 2019

Hearing Room 225

9:00 AM

6:17-13682 Mary Ann Gilmore

Chapter 7

Adv#: 6:17-01271 United States Trustee for the Central District of v. Ashcraft et al

#3.00

PRE-TRIAL CONFERENCE re: Complaint for Disgoregement of Fees, Civil Penalties, Sanctions, and Declaratory, Injunctive, and other relief

Docket 0

***** VACATED *** REASON: To be held on 5/23/19 by order signed
11/16/18 - jc**

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will issue an amended scheduling order:

1. All non-expert discovery shall close on September 30, 2018.
2. All expert discovery shall close on November 30, 2018.
3. All discovery motions shall be heard before December 31, 2018.
4. All pretrial motions shall be heard before January 31, 2019.
5. Pretrial conference is set for March 14, 2018 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Mary Ann Gilmore

Represented By
Patricia M Ashcraft

Defendant(s):

Patricia M Ashcraft

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 14, 2019

Hearing Room 225

9:00 AM

CONT... **Mary Ann Gilmore**
The Law Offices of Gregory C.

Represented By
Todd L Turoci

Chapter 7

Plaintiff(s):

United States Trustee for the Central

Represented By
Mohammad Tehrani
Abram Feuerstein esq
Neil Verbrugge

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 14, 2019

Hearing Room 225

9:00 AM

6:17-16779 Carlitos Vargas

Chapter 7

Adv#: 6:17-01243 Vargas v. United States Department Of Education et al

#4.00

Pre-TrialConference re Complaint by Michelle Vargas against United States Department Of Education, Navient Corporation, Navient Credit Finance Corporation, Navient Solutions, Inc., Education Credit Management Corporation. (Fee Not Required). Complaint to Determine Dischargeability of Student Loans - 11 U.S.C. Section 523(a)(8); Borrower's Defenses Against Repayment - 20 U.S.C. Section 1087e(h); 34 C.F.R. 685.206(c): 1) Fraud, Misrepresentation, Concealment, and False Promises; 2) Fraud, Forgery, and Undue Influence 3) Violation of California Business and Professions Code Sections 17200 et seq; 4) Violation of California Business and Professions Code Sections 17500 et seq; and 5) Discharge of Debt Obtained by Students Whose Eligibility for Federal Student Aid was Falsely Certified by the School - 20 U.S.C. Section 1087; 34 C.F.R. 685.215 Nature of Suit: (63 (Dischargeability - 523(a)(8), student loan)),(02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy)

(Cont. from 1/31/19)

Docket 1

***** VACATED *** REASON: Cont. to 4/25/19 @ 9:00 a.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Carlitos Vargas

Represented By
Todd L Turoci

Defendant(s):

United States Department Of

Represented By
Elan S Levey

Navient Corporation

Represented By
Robert S Lampl

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 14, 2019

Hearing Room 225

9:00 AM

CONT... Carlitos Vargas

Chapter 7

Navient Credit Finance Corporation

Represented By
Robert S Lampl

Navient Solutions, Inc.

Represented By
Robert S Lampl

Education Credit Management

Pro Se

Joint Debtor(s):

Michelle Vargas

Represented By
Todd L Turoci

Plaintiff(s):

Michelle Vargas

Represented By
Todd L Turoci

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 14, 2019

Hearing Room 225

9:00 AM

6:17-20442 Timothy David Murphy
Adv#: 6:18-01071 Murphy v. Murphy et al

Chapter 7

#5.00

PRE-TRIAL CONFERENCE re: Complaint to deny discharge under
11 U.S.C. Section 727(a)(4)(A)

Docket 31

***** VACATED *** REASON: Cont. to 4/25/19 @ 9:00 a.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Timothy David Murphy	Pro Se
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Defendant(s):

Timothy David Murphy	Represented By Timothy D Murphy
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Plaintiff(s):

Mark M. Murphy	Represented By Larry D Webb
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Trustee(s):

Lynda T. Bui (TR)	Represented By Michelle A Marchisotto
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**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 14, 2019

Hearing Room 225

9:00 AM

6:18-17439 Robert Mansour Hamzey, Jr.

Chapter 7

Adv#: 6:18-01221 Hardt, Jr v. Hamzey, Jr. et al

#6.00

Hrg. on Defendants' Motion filed 12/10/18 to Dismiss Adversary Proceeding

(Cont. from 1/24/19)

Docket 3

*** VACATED *** REASON: Withdrawal of motion filed 2/28/19 - slh

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Robert Mansour Hamzey Jr.

Represented By
Daniel C Sever

Defendant(s):

Robert Mansour Hamzey Jr.

Represented By
Daniel C Sever

Marie Ann Hamzey

Represented By
Daniel C Sever

Joint Debtor(s):

Marie Ann Hamzey

Represented By
Daniel C Sever

Plaintiff(s):

William Joseph Hardt Jr

Pro Se

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 14, 2019

Hearing Room 225

9:00 AM

6:18-17439 Robert Mansour Hamzey, Jr.

Chapter 7

Adv#: 6:18-01221 Hardt, Jr v. Hamzey, Jr. et al

#7.00

STATUS CONFERENCE re complaint for recovery of money/property pursuant to 11 U.S.C. Section 548 and Nondischargeability of debt 1 U.S.C. Section 523(A)(4)

(Cont. from 1/24/19)

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the status conference to March 21, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Robert Mansour Hamzey Jr.

Represented By
Daniel C Sever

Defendant(s):

Robert Mansour Hamzey Jr.

Pro Se

Marie Ann Hamzey

Pro Se

Joint Debtor(s):

Marie Ann Hamzey

Represented By
Daniel C Sever

Plaintiff(s):

William Joseph Hardt Jr

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 14, 2019

Hearing Room 225

9:00 AM

CONT... Robert Mansour Hamzey, Jr.

Chapter 7

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 14, 2019

Hearing Room 225

9:00 AM

6:18-19108 Alfred Jake Kendrick

Chapter 7

Adv#: 6:19-01022 Kendrick-Patterson v. Kendrick

#8.00

Hrg. on Defendant's Motion filed 2/19/19 to Dismiss Adversary Proceeding

Docket 3

Tentative Ruling:

APPEARANCES REQUIRED.

Regena M. Kendrick-Patterson ("Plaintiff") filed a complaint against debtor-defendant Alfred J. Kendrick ("Defendant") alleging that a debt from Defendant to Plaintiff is excepted from discharge pursuant to 11 U.S.C. § 523(a)(6) as a willful and malicious injury. The complaint also alleges that Defendant's discharge should be denied under 11 U.S.C. § 727(a)(4) on the ground that Defendant knowingly and fraudulently made a false oath in this case.

The willful and malicious injury alleged is that Defendant refused to go on the Judge Judy Show (or, alternatively, the Judge Mathis Show) to resolve a dispute between Plaintiff and Defendant over a vehicle Plaintiff allegedly leased or subleased to Defendant.

A determination of nondischargeability under section 523(a)(6) requires a finding that the injury was both willful and malicious. *Copland v. Anthis (In re Copland)*, BAP No. WW-10-1382-WaPaJu, 2012 Bankr. LEXIS 391 (B.A.P. 9th Cir., January 10, 2012). An injury is "malicious" when it involves a wrongful act, done intentionally, that necessarily causes injury and is committed without just cause or excuse.

Under this standard, the injury alleged in the complaint – a refusal to attend the Judge Judy or Judge Mathis Show – is not malicious because refusing to attend is not a wrongful act. Absent a binding contract, which is not alleged, no one has a legal obligation to go on the Judge Judy or Judge Mathis Show. Nor would refusing to go on the show necessarily cause injury. There is no guarantee Plaintiff would prevail if

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 14, 2019

Hearing Room 225

9:00 AM

CONT... Alfred Jake Kendrick Chapter 7

the parties went on the Judge Judy or Judge Mathis Show (i.e., the complaint does not alleged Plaintiff would be paid if she went on the show even if she lost her case in that forum).

For these reasons, the willful and malicious injury count of the complaint is dismissed with prejudice as failing to state a claim upon which relief can be granted. Fed. R. Bankr. P. 7012(b).

The complaint also alleges that Defendant failed to disclose on the schedules his ownership as a sole proprietor of a business on social media, namely Kendrickenterprise.myctfo.com. This allegation underpins Plaintiff's section 727(a)(4) cause of action. Defendant argues that this was a mistaken omission, and that he amended his schedules on or about January 24, 2019 to disclose this asset.

The complaint states a claim upon which relief can be granted under section 727(a)(4). The Court generally must assume the allegations of the complaint to be true in testing a motion to dismiss under Rule 12(b)(6). Although there are certain exceptions in the case of formulaic pleading, *Iqbal* and *Twombly* (Supreme Court cases), the pleading here is not formulaic because of the details alleged. Plaintiff is quite specific about the omission she contends is knowing and fraudulent – namely, the omission of the sole proprietorship described above.

The motion to dismiss is granted in part and denied in part. It is granted as to section 523(a)(6) claim for relief and denied as to the section 727(a)(4) claim for relief.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Alfred Jake Kendrick

Represented By
Rabin J Pournazarian

Defendant(s):

Alfred Jake Kendrick

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 14, 2019

Hearing Room 225

9:00 AM

CONT... Alfred Jake Kendrick

Chapter 7

Plaintiff(s):

Regena M Kendrick-Patterson Pro Se

Trustee(s):

Larry D Simons (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 14, 2019

Hearing Room 225

9:00 AM

6:19-10456 RFS Sports, Inc.

Chapter 11

#9.00

Hrg. on Chapter 11 Status Conference

**(Tele. appr. Raffi Khatchadourian, rep. creditor, Wells Fargo Bank)
(Tele. appr. Brendan M. Loper, rep. creditor, Mr. Yang)
(Tele. appr. Thomas A. Vogele, rep. creditor, Mr. Yang)
(Tele. appr. Brendan M. Loper, rep. creditor, Mr. Yang)**

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into compliance with U.S. Trustee guidelines and requirements.

Next status conference: to be determined.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

RFS Sports, Inc.

Represented By
Javier H Castillo

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 14, 2019

Hearing Room 225

9:00 AM

6:19-10457 Field Sport, Inc.

Chapter 11

#10.00

Hrg. on Chapter 11 Status Conference

Docket 1

***** VACATED *** REASON: Jointly Administered with 6:19-10456-MW**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Field Sport, Inc.

Represented By
Javier H Castillo

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 14, 2019

Hearing Room 225

10:00 AM

6:18-19553 Corina Milagro Hernandez

Chapter 7

#1.00

Hrg. on approval of Reaffirmation Agreement filed 2/5/19 Between Debtor and Nissan Motor Acceptance Corporation, in the amount of \$11,509.25

Re: 2015 Nissan Versa

Docket 12

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Corina Milagro Hernandez

Pro Se

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 14, 2019

Hearing Room 225

10:00 AM

6:18-19866 Daniel Sykes and Patrice Sykes

Chapter 7

#2.00

Hrg. on approval Reaffirmation Agreement Between Debtor and Alaska Federal Credit Union

Docket 15

***** VACATED *** REASON: Amended Reaffirmation Agreement filed
2/17/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Daniel Sykes

Represented By
David L Nelson

Joint Debtor(s):

Patrice Sykes

Represented By
David L Nelson

Trustee(s):

John P Pringle (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 14, 2019

Hearing Room 225

10:00 AM

6:18-20664 Dora Maria Duran

Chapter 7

#3.00

Hrg. on approval of Reaffirmation Agreement filed 2/5/19 Between Debtor and Nissan Motor Acceptance Corporation, in the amount of \$17,479.87

Re: 2016 Nissan Rogue

Docket 9

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Dora Maria Duran

Represented By
Marlin Branstetter

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 14, 2019

Hearing Room 225

10:00 AM

6:18-20666 Edgar Cardenas and Sonia Ana Cardenas

Chapter 7

#4.00

Hrg. on approval of Reaffirmation Hearing Between Debtor and Kia Motors Finance, in the amount of \$21,561.90

Re: 2017 Kia Optima

Docket 10

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtors' best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Edgar Cardenas

Represented By
Marlin Branstetter

Joint Debtor(s):

Sonia Ana Cardenas

Represented By
Marlin Branstetter

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 14, 2019

Hearing Room 225

10:00 AM

6:19-10202 John Tyler Jackson and Christelle De La Cruz Jackson

Chapter 7

#5.00

Hrg. on approval Reaffirmation Agreement Between Debtor and Alaska USA
Federal Credit Union, in the amount of \$7,590.82

Re: 2013 Nissan Altima

Docket 12

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtors' best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

John Tyler Jackson	Pro Se
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Joint Debtor(s):

Christelle De La Cruz Jackson	Pro Se
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Trustee(s):

Howard B Grobstein (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 14, 2019

Hearing Room 225

10:00 AM

6:19-10219 David L Nelson and Cordilia P Nelson

Chapter 7

#6.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and Santander Consumer USA Inc. as servicer for UMB Bank, National Association

Re: 2014 Fiat

(Tele. appr. Keith S. Knochel, rep. Debtor David and Cordilia Nelson)

Docket 28

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtors' best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

David L Nelson

Represented By
Keith S Knochel

Joint Debtor(s):

Cordilia P Nelson

Represented By
Keith S Knochel

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 14, 2019

Hearing Room 225

2:00 PM

6:16-20446 BioData Medical Laboratories, Inc.

Chapter 7

#1.00

Status Conference Hrg. on Chapter 7 Trustee's Motion filed 6/18/18 for entry of order authorizing payment of post-petition payroll taxes of the estate

(Cont. from 11/26/18)

(Tele. appr. Elmer Martin, rep. Interested party, Elmer Martin)

Docket 548

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will ask the parties to update the Court on the status of this matter, including whether any mediation has taken place and, if so, the results of such mediation.

Party Information

Debtor(s):

BioData Medical Laboratories, Inc.

Represented By
Robert M Yaspan
Joseph N Darweesh

Trustee(s):

Todd A. Frealy (TR)

Represented By
Eve H Karasik
Jeffrey S Kwong
Juliet Y Oh
Carmela Pagay

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 14, 2019

Hearing Room 225

2:00 PM

6:18-13196 Sunpro Solar Inc.

Chapter 11

#2.00

Hrg. on Chapter 11 Status Conference

(Cont. from 2/21/19)

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into (1) Debtor's compliance with U.S. Trustee guidelines and requirements; (2) Debtor's current cash balance; and (3) the reliability of the monthly gross revenue estimates in the projections. The projections on Exhibit 2 to the disclosure statement seem to show monthly gross revenue for the period November 2018 to August 2019 at \$527,000 to \$850,000, whereas actual sales in Exhibit 1 for January 2018 to October 2018 range from \$82,755 to \$447,507.

Next status conference: to be determined.

COURT TO PREPARE ORDER.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Sunpro Solar Inc.

Represented By
Robert B Rosenstein

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 14, 2019

Hearing Room 225

2:00 PM

6:18-13196 Sunpro Solar Inc.

Chapter 11

#3.00

Hrg. on Confirmation of Chapter 11 Plan

Docket 86

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will ask Debtor's counsel to address the apparent discrepancy between monthly gross revenue numbers for 2018 and the projected gross revenue numbers for 2019. If this matter is satisfactorily explained, the Court will confirm the plan.

Next status conference: to be determined.

DEBTOR TO LODGE (1) FINDINGS OF FACT AND CONCLUSIONS OF LAW
AND (2) CONFIRMATION ORDER WITHIN 7 DAYS VIA LOU.

Party Information

Debtor(s):

Sunpro Solar Inc.

Represented By
Robert B Rosenstein

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, March 18, 2019

Hearing Room 6C

9:00 AM

8:16-12511 Alejandro Aguirre and Judith G. Aguirre

Chapter 13

#1.00

Motion for relief from stay [Real Property]

Wilmington Trust, National Association, Not In Its Individual Capacity, But Solely
As Trustee For MFRA Trust 2014-2 vs. DEBTORS
(Motion filed 2/20/19)

[RE: 904 Bruce Street, Anaheim, California 92804]

Docket 81

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into allegations in Debtor's opposition that the mortgage service has been refusing to accept Debtor's payments.

Party Information

Debtor(s):

Alejandro Aguirre

Represented By
Jaime A Cuevas Jr.

Joint Debtor(s):

Judith G. Aguirre

Represented By
Jaime A Cuevas Jr.

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, March 18, 2019

Hearing Room 6C

9:00 AM

8:18-13616 Manuel Figueroa

Chapter 13

#2.00

Motion for relief from stay [Real Property]

Lakeview Loan Servicing, LLC, And Its Successors And/Or Assignees vs.
DEBTOR
(Motion filed 2/20/19)

[RE: 11791 Kathy Lane, Garden Grove, CA 92840]

Docket 38

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Manuel Figueroa

Represented By
Andrew Moher

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, March 18, 2019

Hearing Room 6C

9:00 AM

8:18-14218 Patrick C. Mastin and Suzanne D. Mastin

Chapter 7

#3.00

Motion for relief from stay [Personal Property]

American Honda Finance Corporation vs. DEBTORS, And Jeffrey I. Golden,
Chapter 7 Trustee
(Motion filed 2/22/19)

[RE: 2010 Honda Odyssey - VIN No.: 5FNR L3H5 XAB0 49046]

Docket 19

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Patrick C. Mastin

Represented By
Patricia M Ashcraft

Joint Debtor(s):

Suzanne D. Mastin

Represented By
Patricia M Ashcraft

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Jeffrey S Shinbrot

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, March 18, 2019

Hearing Room 6C

9:00 AM

8:18-11759 Chester Davenport

Chapter 7

#4.00

Motion for relief from stay [Real Property]

Crosswind Capital, Inc. vs. DEBTOR
(Motion filed 2/25/19)

[RE: 6 Janes Cove Road, Edgartown, MA 02539]

Docket 272

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Chester Davenport

Represented By
Michael Jay Berger

Trustee(s):

Karen S Naylor (TR)

Represented By
Kathleen J McCarthy
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, March 18, 2019

Hearing Room 6C

9:00 AM

8:18-11759 Chester Davenport

Chapter 7

#5.00

Motion for relief from stay [Real Property]

Crosswind Capital, Inc. vs. DEBTOR
(Motion filed 2/25/19)

[RE: 9225 Inglewood Drive, Potomac, MD 20854]

Docket 273

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Chester Davenport

Represented By
Michael Jay Berger

Trustee(s):

Karen S Naylor (TR)

Represented By
Kathleen J McCarthy
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, March 18, 2019

Hearing Room 6C

9:00 AM

8:18-11759 Chester Davenport

Chapter 7

#6.00

Motion for relief from stay [Real Property]

Crosswind Capital, Inc. vs. DEBTOR
(Motion filed 2/25/19)

[RE: 9227 Inglewood Drive, Potomac, MD 20854]

Docket 274

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Chester Davenport

Represented By
Michael Jay Berger

Trustee(s):

Karen S Naylor (TR)

Represented By
Kathleen J McCarthy
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, March 18, 2019

Hearing Room 6C

9:00 AM

8:17-13687 Michael Carlisle and Elizabeth Carlisle

Chapter 13

#7.00

CONT'D Motion for relief from stay [Real Property]

U.S. Bank National Association, Not In Its Individual Capacity But Solely As Trustee For The RMAC Trust, Series 2016-CIT vs. DEBTORS
(Motion filed 1/24/19)

[RE: 25622 Chrisanta Drive, Mission Viejo, California 92691]

FR: 2-25-19

Docket 43

***** VACATED *** REASON: OFF CALENDAR - SETTLED BY
STIPULATION RE ADEQUATE PROTECTION AND ORDER ENTERED
2-28-19 - (DOCKET NO. [52])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Carlisle

Represented By
Julie J Villalobos

Joint Debtor(s):

Elizabeth Carlisle

Represented By
Julie J Villalobos

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, March 18, 2019

Hearing Room 6C

2:00 PM

8:19-10212 Hill Concrete Structures

Chapter 11

#1.00

Hearing RE: Debtor's Motion For An Order Authorizing Payment Of Prepetition Claims Of Critical Vendors
(Motion filed 2/22/19)

Docket 17

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion. The Debtor has made out a compelling case for the payment of prepetition claims of critical vendors.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Hill Concrete Structures

Represented By
Michael Jones

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, March 19, 2019

Hearing Room 225

9:00 AM

6:18-19761 Sean Michael Terhune

Chapter 7

#1.00

Weltman, Weinberg & Reis, Co., L.P.A. - movant attorney

Motion for Relief from Stay

VCFS Auto Leasing Company vs. DEBTOR
(Motion filed 1/24/19)

RE: 2017 Volvo XC60 T6 AWD

Docket 13

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Sean Michael Terhune

Represented By
Dana Travis

Movant(s):

VCFS Auto Leasing Company

Represented By
Scott S Weltman

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, March 19, 2019

Hearing Room 225

9:00 AM

6:19-10324 Lorenzo Keeler and Ashleigh Fuga-Keeler

Chapter 7

#2.00

Buchalter a Professional Corporation - movant attorney

Motion for Relief from Stay

Altura Credit Union vs. DEBTORS
(Motion filed 2/26/19)

Re: 2012 Buick Enclave

Docket 10

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Lorenzo Keeler

Represented By
David L Nelson

Joint Debtor(s):

Ashleigh Fuga-Keeler

Represented By
David L Nelson

Movant(s):

Altura Credit Union

Represented By
Jeannie Kim

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, March 19, 2019

Hearing Room 225

9:00 AM

6:19-10644 Veronica Mendivil

Chapter 7

#3.00

Law Offices of Austin P. Nagel - movant attorney

Motion for Relief from Stay

Toyota Motor Credit Corporation vs. DEBTOR
(Motion filed 2/20/19)

Re: 2018 Lexus NX300

Docket 14

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Veronica Mendivil

Represented By
Lionel E Giron

Movant(s):

Toyota Motor Credit Corporation

Represented By
Austin P Nagel

Trustee(s):

John P Pringle (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, March 19, 2019

Hearing Room 225

2:00 PM

6:17-16329 Juan Manuel Pesqueda

Chapter 7

#1.00

Hrg. on Chapter 7 Trustee's Motion for Order compelling turnover of estate property and documents

(Cont. from 10/16/18)

Docket 37

Tentative Ruling:

**AS TO THE STIPULATION ON MOTION FOR ORDER COMPELLING
TURNOVER, ETC.:**

APPEARANCES REQUIRED.

The Court will not approve the stipulation because (1) it purports (at least by inference) to bind parties who are not before the Court, such as the Chapter 13 Trustee, Amrane Cohen; and (2) it provides for certain outcomes that are not currently before the Court and have not been argued and briefed, such as the provision barring dismissal of the case and requiring automatic conversion to chapter 13.

The Court will proceed to hear and rule upon the motion for turnover. As to that motion:

APPEARANCES REQUIRED.

The Court will grant the motion and order turnover for the reasons argued by the Chapter 7 Trustee in the motion and reply. Debtor's assertion that there are only two unsecured claims totaling \$1,009.33 is plainly incorrect. Claims total \$12,228.39.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Juan Manuel Pesqueda

Represented By
Gary S Saunders

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, March 19, 2019

Hearing Room 225

2:00 PM

CONT... Juan Manuel Pesqueda

Chapter 7

Trustee(s):

John P Pringle (TR)

Represented By
Toan B Chung

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, March 19, 2019

Hearing Room 225

2:00 PM

6:17-16975 Leonor Barajas Perales

Chapter 7

#2.00

Hrg. on Trustee's Final Report and Applications for Compensation

Docket 0

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the application and allow:

Trustee's fees: \$1,913.00

Trustee's expenses: \$123.69

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Leonor Barajas Perales

Pro Se

Trustee(s):

Robert Whitmore (TR)

Represented By
Julie Philippi

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, March 19, 2019

Hearing Room 225

2:00 PM

6:17-20615 William J. McMillan and Darlene C. McMillan

Chapter 7

#3.00

Hrg. on trustee's final report; applications for compensation

Docket 0

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the application and allow:

Trustee's fees: \$1,802.81

Trustee's expenses: \$135.24

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

William J. McMillan

Represented By
Ronald W Ask

Joint Debtor(s):

Darlene C. McMillan

Represented By
Ronald W Ask

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 20, 2019

Hearing Room 6C

9:00 AM

8:15-13556 John Olaf Halvorson

Chapter 7

Adv#: 8:15-01391 Baek et al v. Halvorson et al

#1.00

CONT'D STATUS CONFERENCE Hearing RE: Motion For (1) Sanctions Against Richard Baek, Baek 153, LLC, Pacific Commercial Group, LLC, Grace Baek, And Their Attorneys Of Record, Corey Tolliver, And Christopher Coyle For Failure To Participate In Court Ordered Mediation In Good Faith; And (2) Order Revoking Pro Hac Vice Admissions Of Attorneys Christopher Coyle And Corey Tolliver (Docket No. [61] in 8:15-ap-01391, Docket No. [41] in 8:15-ap-01454) And Motion To Lift The Stay Imposed On June 29, 2016 (Docket No. [76] in 8:15-ap-01391, Docket No. [58] in 8:15-ap-01454) (Order setting hearing Entered 11/22/17)

FR: 2-28-18; 4-11-18; 6-13-19; 10-17-18; 12-12-18; 1-28-19

Docket 61

***** VACATED *** REASON: OFF CALEDNAR**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

John Olaf Halvorson

Represented By
Marc C Forsythe
Charity J Manee

Defendant(s):

John O. Halvorson

Represented By
Marc C Forsythe
Charity J Manee

Dan L. Halvorson

Represented By
Guillermo Cabrera
Christopher Celentino
Peter W Bowie
Reem J Bello

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 20, 2019

Hearing Room 6C

9:00 AM

CONT... John Olaf Halvorson

Chapter 7

Jerry Ann Randall

Marc C Forsythe
Steven J. Katzman
Kyle Kveton
Charity J Manee

Represented By
Guillermo Cabrera
Christopher Celentino
Peter W Bowie
Reem J Bello
Marc C Forsythe
Steven J. Katzman
Kyle Kveton
Charity J Manee

PCC Fund I, LLC

Pro Se

Granite Bay Partners II, LLC

Pro Se

JH RE Holdings, LLC

Pro Se

Commercial Income Advisors, Inc.

Pro Se

Movant(s):

John O. Halvorson

Represented By
Marc C Forsythe
Charity J Manee

Plaintiff(s):

Richard Baek

Represented By
Reem J Bello
Ali Matin
Steven J. Katzman
Kyle Kveton

Pacific Commercial Group, LLC

Represented By
Reem J Bello
Kyle Kveton
Steven J. Katzman

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 20, 2019

Hearing Room 6C

9:00 AM

CONT... John Olaf Halvorson

Chapter 7

Baek 153, LLP

Ali Matin

Represented By
Reem J Bello
Kyle Kveton
Steven J. Katzman
Ali Matin

Weneta M. Kosmala

Pro Se

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Reem J Bello
Faye C Rasch
Jeffrey I Golden

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 20, 2019

Hearing Room 6C

9:00 AM

8:17-10265 Ralph E Sanders

Chapter 7

Adv#: 8:17-01068 Pette v. Sanders

#2.00

CONT'D PRE-TRIAL CONFERENCE RE: Amended Complaint For:
Nondischargeability of Pending Lawsuits Pursuant to 11 U.S.C. Section 523(a)
(6) and 11 U.S.C. Section 727(a)(4)(A)(B)
(Complaint filed 5/8/17)
(Another Summons issued 5/19/17)
(Amended Complaint 7/14/17)
(PTC set at S/C held 10/4/17)

FR: 7-26-17; 8-30-17; 10-4-17; 4-25-18; 11-14-18

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The amended complaint of plaintiff Larnita Pette ("Ms. Pette") states two claims for relief: (1) a claim under 11 U.S.C. § 523(a)(6) for a determination that defendant Ralph Sanders ("Mr. Sanders") alleged debt to her in respect of two lawsuits currently pending in state court is excepted from discharge as arising from willful and malicious injury; and (2) a claim that Mr. Sanders should be denied a discharge under 11 U.S.C. § 727(a)(4).

This adversary proceeding is now before the Court for a pretrial conference. Ms. Pette has filed a unilateral Pre-Trial Stipulation For Claims For Relief the "Stipulation"). Mr. Sanders has filed a declaration alleging he did not receive a copy of the Stipulation until March 4, 2019.

The Court is always mindful of concerns of judicial economy and efficiency and also concerns of convenience to the parties. If Ms. Pette prevails on her second claim for relief, Mr. Sanders will be denied a discharge. If he is denied a discharge, there is no point whatsoever in determining the first claim for relief—it would be moot at that

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 20, 2019

Hearing Room 6C

9:00 AM

CONT...

Ralph E Sanders

Chapter 7

point, because none of Mr. Sanders' debts would be discharged in bankruptcy. On the other hand, if Mr. Sanders prevails on the second claim for relief, then the first claim for relief would not be moot. However, it would make more sense for the two state court actions (designated as SDCSC and OCSC in the Stipulation) to go forward in state court than for this Court to determine issues that a state court is more familiar with – especially considering that at least one of the cases was about ready to go to trial at the time Mr. Sanders filed his bankruptcy petition. If Mr. Sanders were to prevail in state court, then this Court would not need to determine the first claim for relief. If Ms. Pette were to prevail, then the parties could come back to this Court to determine whether the debts determined to exist by the state court are excepted from discharge.

Therefore, the Court will take the following actions:

1. This adversary proceeding will go to trial on the second claim for relief only. If Ms. Pette prevails and a discharge is denied, the Court will lift the automatic stay to permit Ms. Pette to go back to state court to determine the amount of the debt.

2. If Mr. Sanders prevails on the second claim for relief, the Court will lift the automatic stay to permit Ms. Pette to go back to state court on the two pending state court actions. This Court will stay the adversary proceeding on the first claim for relief until the state courts determine the matters before them. If Ms. Pette prevails in state court, she will have leave to come back to this Court on the first claim for relief, which will then go forward. If the state courts determine that Mr. Sanders has no liability to Ms. Pette, then there would be nothing left for this Court to do with respect to the adversary proceeding.

In view of the unilateral nature of the Stipulation and the potential for unfairness in documents prepared by only one of the parties, the Court will not approve the Stipulation. This case will go to trial without a join pretrial stipulation or joint pretrial

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 20, 2019

Hearing Room 6C

9:00 AM

CONT... **Ralph E Sanders**
order.

Chapter 7

Trial on the second claim for relief is set for Monday, May 13, 2019 at 9:00 a.m. Trial will promptly commence at 9:00 a.m., continue until noon, recess from noon to 1:30 p.m., and then continue from 1:30 p.m. to 4:30 p.m. Each party will have three trial hours to present his or her case. Witness lists and trial exhibits shall be filed with the Court on or before April 30, 2019. The Court will take judicial notice of Mr. Sanders bankruptcy petition, including but not limited to the schedules and amended schedules. The Federal Rules of Evidence shall apply.

The Court will inquire of the parties whether they wish to go to mediation prior to continuing with this litigation.

Party Information

Debtor(s):

Ralph E Sanders	Pro Se
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Defendant(s):

Ralph E Sanders	Pro Se
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Plaintiff(s):

Larnita Pette	Pro Se
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Trustee(s):

Weneta M Kosmala (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 20, 2019

Hearing Room 6C

9:00 AM

8:17-10265 Ralph E Sanders

Chapter 7

Adv#: 8:17-01068 Pette v. Sanders

#2.10

Hearing RE: Motion To Exclude Evidence
(Motion filed 3/6/19)

Docket 36

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will hear argument on whether Adult Protective Services reports and medical (including hospital and nursing home) records are relevant to numbered paragraphs 8, 22, 23 and 28 of the Amended Complaint.

The Court will grant the motion as to evidence relating to a TRO and declarations and case files in the SDCSC action.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Ralph E Sanders	Pro Se
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Defendant(s):

Ralph E Sanders	Pro Se
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Movant(s):

Larnita Pette	Pro Se
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Plaintiff(s):

Larnita Pette	Pro Se
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 20, 2019

Hearing Room 6C

9:00 AM

CONT... Ralph E Sanders

Chapter 7

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 20, 2019

Hearing Room 6C

9:00 AM

8:17-10265 Ralph E Sanders

Chapter 7

Adv#: 8:17-01068 Pette v. Sanders

#2.20

Hearing RE: Defendant's Motion To Exclude The Testimony Of Paul Gonzalez
And Marrissa Knight
(Motion filed 3/15/19)

Docket 40

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will deny the motion. The Court cannot determine whether the testimony of Paul Gonzalez and Marrissa Knight is relevant without knowing what they will testify to. Because no indication is provided to the Court as to the subject matter of these witnesses' testimony, the motion must be denied.

Party Information

Debtor(s):

Ralph E Sanders	Pro Se
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Defendant(s):

Ralph E Sanders	Pro Se
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Plaintiff(s):

Larnita Pette	Pro Se
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Trustee(s):

Weneta M Kosmala (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 20, 2019

Hearing Room 6C

9:00 AM

8:18-10018 Derek Lee Collins

Chapter 7

Adv#: 8:18-01117 Kermode v. Collins

#3.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Non-Dischargeability Of Debt Pursuant To 11 U.S.C. Section 523(a) (Complaint filed 6/25/18)

FR: 9-12-18; 11-19-18

Docket 1

***** VACATED *** REASON: CONTINUED TO JUNE 26, 2019 AT 9:00 A.M. PER ORDER GRANTING STIPULATION TO FURTHER CONTINUE STATUS CONFERENCE ENTERED 3-1-19 - (DOCKET NO. [14])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Derek Lee Collins

Represented By
Frank X Ruggier

Defendant(s):

Derek Lee Collins

Represented By
David Brian Lally

Plaintiff(s):

Deborah J. Geary Kermode

Represented By
Ryan D O'Dea

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Erin P Moriarty

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 20, 2019

Hearing Room 6C

9:00 AM

8:18-10203 Phillip Barry Greer

Chapter 7

Adv#: 8:18-01069 Marshack et al v. Biden

#4.00

Hearing RE: Defendant Arlene C. Biden's Motion To Dismiss Complaint
(FRCP 12(b)(6))
(Motion filed 1/22/19)

Docket 37

Tentative Ruling:

APPEARANCES REQUIRED.

The amended complaint, like the original complaint, engages in formulaic pleading insofar as it alleges that debtor Phillip B. Greer ("Mr. Greer") was insolvent at the time of the transfer of his community property interest in the subject property to his spouse Arlene Biden over 13 years ago, on October 14, 2005. The amended complaint alleges that Mr. Greer incurred over \$100,000 in debt to the California Franchise Tax Board "relating to debt in 2004" – a curious statement because income taxes are not usually computed on a person's debt, they are computed based on a person's income. The amended complaint also refers (in numbered paragraph 44) to "Debtor's obligation of at least \$700,000 on the consensual liens on the Property post -Transfer." This statement tells the Court little or nothing about Mr. Greer's financial position on October 14, 2005 (the date Mr. Greer transferred his interest in the subject property to his spouse) because "post-Transfer" is a more than 13 year period. For example, if the consensual liens were \$700,000 in, say, 2014, that has little or no bearing on whether Mr. Greer was insolvent 9 years earlier and in no way rescues the amended complaint from its formulaic pleading of Mr. Greer's alleged insolvency in 2005.

Insolvency for purposes of California fraudulent transfer law generally is the excess of a person's liabilities over the fair market value of such person's assets. Thus, insolvency looks at both sides of the balance sheet: assets as well as liabilities. The

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 20, 2019

Hearing Room 6C

9:00 AM

CONT...

Phillip Barry Greer

Chapter 7

amended complaint in no way alleges what assets Mr. Greer held on October 14, 2005 or what the fair market value of those assets were on that date. That Mr. Greer may have owned limited assets at the time he filed his bankruptcy petition in early 2018 has little or no bearing on what he owned 13 years earlier.

Under *Ashcroft v. Iqbal*, 556 U.S. 662 (2009), a complaint asserting claims that are merely conceivable and that do not rise to the level of plausibility does not meet pleading specificity standards required under Federal Rule of Civil Procedure 8, applicable here under Federal Rule of Bankruptcy Procedure 7008. 556 U.S. at 680.

In summary, inadequate allegations about the assets and liabilities of Mr. Greer in 2005 render the amended complaint's allegation that he was insolvent in 2005 formulaic in nature and do not elevate the amended complaint's allegations from the conceivable to the plausible. The allegations that Mr. Greer was insolvent in 2005 do not rise from the conceivable to the plausible where almost no allegations address Mr. Greer's assets as of October 2005. If the Court assumes the veracity of factual allegations in the amended complaint – but not conclusory or formulaic allegations – there is not enough here to support causes of action and claims for relief based upon Mr. Greer's alleged insolvency.

Additionally, the amended complaint suffers from a vagueness problem. It states causes of action under California Civil Code sections 3439.04 and 3439.05 but fails to state the version of these statutes that the trustee alleges applies in this adversary proceeding – whether the version in effect in 2005 when the transfer occurred or the version in effect in 2018 when the bankruptcy petition was filed. (These statutes have been amended over the years). The trustee must state the version he is relying upon, or else be subject to a motion for a more definite statement.

The Court grants the motion to dismiss with leave to amend. The Trustee has a choice: either plead facts supporting the conclusory and formulaic allegation of insolvency or else drop causes of action in which Mr. Greer's alleged insolvency circa October 14, 2005 is an essential element of the cause of action.

COURT TO PREPARE ORDER.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 20, 2019

Hearing Room 6C

9:00 AM

CONT... Phillip Barry Greer

Chapter 7

Party Information

Debtor(s):

Phillip Barry Greer

Pro Se

Defendant(s):

Arlene C Biden

Represented By
Phillip Greer

Movant(s):

Arlene C Biden

Represented By
Phillip Greer
Phillip Greer

Plaintiff(s):

Richard A Marshack

Represented By
Ryan D O'Dea

Chriss W. Street

Represented By
Timothy C Aires

Trustee(s):

Richard A Marshack (TR)

Represented By
James C Bastian Jr
Ryan D O'Dea

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 20, 2019

Hearing Room 6C

9:00 AM

8:18-11574 Lisa Hernandez

Chapter 7

Adv#: 8:18-01148 Hernandez v. United States of America, by its agency Internal R

#5.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Determine
Dischargeability Of Tax Liability
(Complaint filed 7/26/18)
(Another Summons issued 12/3/18)

FR: 10-17-18; 1-16-19; 2-27-19

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will issue a scheduling order:

1. All discovery shall close on May 31, 2019.
2. All discovery motions shall be heard before June 30, 2019.
3. All pretrial motions shall be heard before July 31, 2019.
4. Pretrial conference is set for August 7, 2019.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Lisa Hernandez

Represented By
Bruce A Boice

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 20, 2019

Hearing Room 6C

9:00 AM

CONT... Lisa Hernandez

Chapter 7

Defendant(s):

United States of America, by its

Represented By
Jolene Tanner

Plaintiff(s):

Lisa Hernandez

Represented By
Bruce A Boice

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 20, 2019

Hearing Room 6C

9:00 AM

8:18-11574 Lisa Hernandez

Chapter 7

Adv#: 8:18-01217 Franco v. United States of America, by its agency Internal R

#6.00

STATUS CONFERENCE Hearing RE: Complaint To Determine Dischargeability
Of Tax Liability
(Complaint filed 12/20/18)

Docket 1

*** VACATED *** REASON: OFF CALENDAR - ADVERSARY FILED
IN WRONG CASE

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lisa Hernandez

Represented By
Bruce A Boice

Defendant(s):

United States of America, by its

Pro Se

Plaintiff(s):

Luz Franco

Represented By
Bruce A Boice

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 20, 2019

Hearing Room 6C

9:00 AM

8:19-10198 Allan Eli Gindi and Carol June Gindi

Chapter 11

#7.00

STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case; And (2) Requiring Report On Status Of Chapter 11 Case (Petition filed 1/18/19)

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into compliance with U.S. Trustee guidelines and requirements.

The Court will set the bar date for proofs of claim at May 31, 2019 and will require notice of the bar date to be filed and served on or before March 29, 2019.

Next status conference: August 14, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Allan Eli Gindi

Represented By
Michael R Totaro

Joint Debtor(s):

Carol June Gindi

Represented By
Michael R Totaro

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 20, 2019

Hearing Room 6C

9:00 AM

8:19-10212 Hill Concrete Structures

Chapter 11

#8.00

STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case; And (2) Requiring Report On Status Of Chapter 11 Case (Petition filed 1/18/19)

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into compliance with U.S. Trustee guidelines and requirements.

The Court will set a deadline of October 31, 2019 for filing a plan and disclosure statement and a deadline of January 31, 2020 for confirming a plan.

Next status conference: June 19, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Hill Concrete Structures

Represented By
Michael Jones

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 20, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01180 Official Committee Of Unsecured Creditors v. Staffmark Investment LLC

#9.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint For Avoidance
And Recovery Of Preferential Transfers Pursuant To 11 U.S.C. Sections 547
And 550
(Complaint filed 10/26/17) (set at s/c held 2/28/18)

FR: 2-28-18; 10-24-18; 1-28-19

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER APPROVING
STIPULATION OF DISMISSAL WITH PREJUDICE ENTERED 2-15-19 -
(DOCKET NO. [57])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green
Caroline Djang
Scott D Fink
Reed M Mercado

Defendant(s):

Staffmark Investment LLC

Represented By
Scott A Schiff

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 20, 2019

Hearing Room 6C

9:00 AM

CONT... Freedom Communications, Inc.

Chapter 11

Plaintiff(s):

Official Committee Of Unsecured

Represented By
Andrew W Caine
Jeffrey P Nolan

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 20, 2019

Hearing Room 6C

9:00 AM

8:18-11759 Chester Davenport

Chapter 7

Adv#: 8:18-01155 Naylor v. Sun et al

#10.00

Hearing RE: Chapter 7 Trustee's Motion For Leave To File A First Amended
Complaint
(Motion filed 2/25/19)

Docket 35

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Chester Davenport

Represented By
Michael Jay Berger

Defendant(s):

Bianca Sun

Represented By
Charles C H Wu
Vikram M Reddy

Yan Yu Sun

Represented By
Charles C H Wu
Vikram M Reddy

Movant(s):

Karen S Naylor (TR)

Represented By
Thomas H Casey

Plaintiff(s):

Karen Sue Naylor

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 20, 2019

Hearing Room 6C

9:00 AM

CONT... Chester Davenport

Chapter 7

Thomas H Casey

Trustee(s):

Karen S Naylor (TR)

Represented By
Kathleen J McCarthy
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 21, 2019

Hearing Room 225

9:00 AM

6:16-12645 Frank Bagheritarie

Chapter 7

Adv#: 6:17-01192 Zagros Horizons USA, Inc. v. Bagheritarie

#1.00

STATUS CONFERENCE Re: Complaint for: 1. Declaratory relief 2. Preliminary injunction 3. Avoidance and recovery of actual fraudulent transfers (11 U.S.C. §§ 548(1)(A) and 550) 4. Avoidance and recovery of actual fraudulent transfers (CCP §3439) 5. Avoidance and recovery of constructive fraudulent transfer (11 U.S.C. §§5549(a)(1)(B) and 550)

(Cont. from 11/29/18)

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES NOT REQUIRED.

In view of indications from the status report that this adversary proceeding is in the process of being settled, the Court will continue the status conference and the other three matters on calendar in the same proceeding to May 23, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Frank Bagheritarie

Represented By
Neil R Hedtke

Defendant(s):

Frank Bagheritarie

Represented By
Varand Gourjian

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 21, 2019

Hearing Room 225

9:00 AM

CONT... Frank Bagheritarie

Chapter 7

Plaintiff(s):

Zagros Horizons USA, Inc.

Represented By
Dina Farhat
Paymon Bidari

Trustee(s):

John P Pringle (TR)

Represented By
Wesley H Avery

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 21, 2019

Hearing Room 225

9:00 AM

6:16-12645 Frank Bagheritarie

Chapter 7

Adv#: 6:17-01192 Zagros Horizons USA, Inc. v. Bagheritarie

#2.00

Hrg. on Plaintiff's Motion filed 8/2/18 to Compel the Deposition of Frank Bagheritarie and Production of Documents and Request for Sanctions

(Cont. from 12/6/18)

Docket 46

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES NOT REQUIRED.

In view of indications from the status report that this adversary proceeding is in the process of being settled, the Court will continue the status conference and the other three matters on calendar in the same proceeding to May 23, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Frank Bagheritarie

Represented By
Neil R Hedtke

Defendant(s):

Frank Bagheritarie

Represented By
Varand Gourjian

Plaintiff(s):

Zagros Horizons USA, Inc.

Represented By
Dina Farhat
Paymon Bidari

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 21, 2019

Hearing Room 225

9:00 AM

CONT... Frank Bagheritarie

Chapter 7

Trustee(s):

John P Pringle (TR)

Represented By
Wesley H Avery

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 21, 2019

Hearing Room 225

9:00 AM

6:16-12645 Frank Bagheritarie

Chapter 7

Adv#: 6:17-01192 Zagros Horizons USA, Inc. v. Bagheritarie

#3.00

Hrg on Defendant's Motion to Dismiss Adversary Proceeding

(Cont. from 12/6/18)

Docket 7

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES NOT REQUIRED.

In view of indications from the status report that this adversary proceeding is in the process of being settled, the Court will continue the status conference and the other three matters on calendar in the same proceeding to May 23, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Frank Bagheritarie

Represented By
Neil R Hedtke

Defendant(s):

Frank Bagheritarie

Represented By
Varand Gourjian

Movant(s):

Frank Bagheritarie

Represented By
Varand Gourjian

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 21, 2019

Hearing Room 225

9:00 AM

CONT... Frank Bagheritarie

Chapter 7

Plaintiff(s):

Zagros Horizons USA, Inc.

Represented By
Dina Farhat
Paymon Bidari

Trustee(s):

John P Pringle (TR)

Represented By
Wesley H Avery

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 21, 2019

Hearing Room 225

9:00 AM

6:16-12645 Frank Bagheritarie

Chapter 7

Adv#: 6:17-01192 Zagros Horizons USA, Inc. v. Bagheritarie

#4.00

Hrg on Mohamed Bagheri's, Party in Interest re Motion For Joinder As Additional Plaintiff under F.R.B.P. 7019 and 7020

(Cont. from 12/6/18)

Docket 29

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES NOT REQUIRED.

In view of indications from the status report that this adversary proceeding is in the process of being settled, the Court will continue the status conference and the other three matters on calendar in the same proceeding to May 23, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Frank Bagheritarie

Represented By
Neil R Hedtke

Defendant(s):

Frank Bagheritarie

Represented By
Varand Gourjian

Plaintiff(s):

Zagros Horizons USA, Inc.

Represented By
Dina Farhat
Paymon Bidari

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 21, 2019

Hearing Room 225

9:00 AM

CONT... Frank Bagheritarie

Chapter 7

Trustee(s):

John P Pringle (TR)

Represented By
Wesley H Avery

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 21, 2019

Hearing Room 225

9:00 AM

6:16-13150 Paul Gregory Katona

Chapter 7

Adv#: 6:17-01221 United States Trustee for the Central District of v. Katona et al

#5.00

PRE-TRIALCONFERENCE re: Complaint by United States Trustee for the Central District of California, Region 16 against Paul Gregory Katona, Gail Marie Katona. (Fee Not Required). with adversary cover sheet Nature of Suit: (41 (Objection / revocation of discharge - 727(c),(d),(e)))

(Cont. from 1/31/19)

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court has tentatively decided to grant the U.S. Trustee's concurrent motion to continue the pretrial conference to July 18, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Paul Gregory Katona

Represented By
Douglas A Plazak

Defendant(s):

Paul Gregory Katona

Represented By
Douglas A Plazak

Gail Marie Katona

Represented By
Douglas A Plazak

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 21, 2019

Hearing Room 225

9:00 AM

CONT... Paul Gregory Katona

Chapter 7

Joint Debtor(s):

Gail Marie Katona

Represented By
Douglas A Plazak

Plaintiff(s):

United States Trustee for the Central

Represented By
Everett L Green

Trustee(s):

John P Pringle (TR)

Represented By
Lynda T Bui
Rika Kido
Brianna L Frazier

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 21, 2019

Hearing Room 225

9:00 AM

6:16-13150 Paul Gregory Katona

Chapter 7

Adv#: 6:17-01221 United States Trustee for the Central District of v. Katona et al

#6.00

Hrg. on U.S. Trustee's Motion filed 3/1/19 to continue Pre-Trial Conference

Docket 22

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion.

For good cause shown, the Court will continue the pretrial conference to July 18, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Paul Gregory Katona

Represented By
Douglas A Plazak

Defendant(s):

Paul Gregory Katona

Represented By
Douglas A Plazak

Gail Marie Katona

Represented By
Douglas A Plazak

Joint Debtor(s):

Gail Marie Katona

Represented By
Douglas A Plazak

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 21, 2019

Hearing Room 225

9:00 AM

CONT... Paul Gregory Katona

Chapter 7

Plaintiff(s):

United States Trustee for the Central

Represented By
Everett L Green

Trustee(s):

John P Pringle (TR)

Represented By
Lynda T Bui
Rika Kido
Brianna L Frazier

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 21, 2019

Hearing Room 225

9:00 AM

6:16-13150 Paul Gregory Katona

Chapter 7

Adv#: 6:17-01221 United States Trustee for the Central District of v. Katona et al

#7.00

Hrg. on U.S. Trustee's Motion filed 3/1/19 for an Order Imposing Evidentiary Sanctions & Excluding Trial Testimony of Certain Witnesses pursuant to Federal Rule of Bankruptcy Procedure 7037 and Federal Rule of Civil Procedure 37

Docket 23

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The United States Trustee's Motion For an Order Imposing Evidentiary Sanctions and Excluding Trial Testimony of Certain Witnesses Pursuant to Federal Rule of Bankruptcy Procedure 7037 and Federal Rule of Civil Procedure 37 (the "Motion") requires the Court to interpret and apply Federal Rule of Civil Procedure 37(c)(1), relating to failure to provide information or the identity of a witness as required by Federal Rule of Civil Procedure 26(a).

Many of the facts are not in dispute. Debtors Paul and Gail Katona ("Debtors") filed their joint bankruptcy petition on April 7, 2016. The United States Trustee (the "UST") filed a complaint against Debtors for denial of a discharge on November 2, 2017. A Rule 26 conference was held between the UST and the Debtors on November 30, 2017. The UST served its Rule 26 disclosures on December 7, 2017, identifying Debtors as witnesses. Debtors answered the complaint on January 5, 2018. Debtors admit that they failed to provide any Rule 26 disclosures to the UST. They contend that they failed in this regard because their counsel had forgotten to do so, and that their counsel forgot partially because the Rule 26 conference had taken place before the answer was filed and partially because they were never advised to do

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 21, 2019

Hearing Room 225

9:00 AM

CONT... Paul Gregory Katona
so by the UST.

Chapter 7

Pursuant to a stipulation between the parties, the Court amended a scheduling order on August 31, 2018 to provide that all discovery would close on November 1, 2018, all discovery motions were to be heard before November 30, 2018 and all pretrial motions (except motions in limine) were to be heard before December 31, 2018.

Debtors finally served their Rule 26 disclosures on December 12, 2018. These disclosures identified the following persons as likely to have discoverable information that Debtors might use to support claims or defenses: Paul and Gail Katona, Richard and Robert Proulx, Robert Bonds, Manfred Schroer, Rika Kido and Joanne Crowell. Also set forth in the Rule 26 disclosures are the documents, records and transcripts that the Defendants might use to support claims or defenses.

The Motion asks the Court to enter an order precluding the Debtors from offering trial testimony of any of the witnesses named above based on Rule 37(c)(1).

Rule 37 (c)(1) provides that if a party fails to identify a witness as required by Rule 26(a) or (e), "the party is not allowed to use that . . . witness to supply evidence on a motion, at a hearing, or at a trial, unless the failure was substantially justified or is harmless." The United States Court of Appeals for the Ninth Circuit has made it clear that the burden of proving that a failure to comply in this regard is substantially justified or harmless is on the party who failed to comply with Rule 26, not on such party's opponent. *Torres v. City of Los Angeles*, 548 F.3d 1197, 1213 (9th Cir. 2008), *cert. denied*, 129 S. Ct. 1995 (2009).

Debtors, having the burden of proof, have failed to make a sufficient showing that their failure to timely make Rule 26 disclosures is substantially justified. Rule 26(e) in effect imposes a requirement of continuing compliance with Rule 26(a) by providing that a party who has responded to an interrogatory, request for production or request for admission must supplement the initial disclosure "if the party learns that in some material respect the disclosure or response is incomplete or incorrect, and if the additional or corrective information has not otherwise been made known to the other

**United States Bankruptcy Court
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Judge Mark Wallace, Presiding
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Hearing Room 225

9:00 AM

CONT...

Paul Gregory Katona

Chapter 7

parties during the discovery process . . ." Technically speaking, Rule 26(e) perhaps does not apply here because Debtors never made timely Rule 26 disclosures in the first place. However, the presence of Rule 26(e) in the Rules should have been a reminder to Debtors' counsel about the Rule 26 initial disclosure requirements each time the UST made a request for admission or a request for production. In that sense, what occurred here was not a single isolated failure of Debtors to comply with Rule 26 but an entire series of failures to comply over the space of about one year. Even if a single "I forgot" can be considered a substantially justified failure (a dubious proposition to begin with, based upon the authorities cited by the UST), repeated forgetfulness while discovery proceeded and ran its course over an entire year has not been shown by Debtors to be substantially justified.

Turning to the issue of harmlessness, Debtors propose that harm to the UST can be prevented by reopening discovery and allowing the UST a period of time to conduct written discovery and/or depositions. In rebuttal, the UST argues that he has already "formed and developed his discovery plan, legal theories, pretrial materials, and trial strategy based on the information acquired during discovery."

Debtors have the burden of proof, and they have failed to make a sufficient showing that forcing the UST to reinvent the wheel on its legal theories, pretrial materials and trial strategy is "harmless." They have provided no evidence relating to how much additional time and energy the UST will need to devote if the Court were to deny the Motion and permit the testimony of the eight witnesses named above. Nor have the Debtors provided any evidence of how much additional discovery time will be required if these witnesses are allowed to testify at trial or what other additional issues may arise and what amount of time will be required to allow the UST to address them. Not knowing how much additional energy and time will be required of the UST if the Court were to deny the Motion, the Court cannot determine that Debtors have shown their failure to comply with Rule 26 is harmless.

The Court will grant the Motion in part and deny it in part. The Court will permit Debtors to themselves testify in support of their case because it was or should have been obvious to the UST that Debtors would likely testify at the trial of this adversary

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CONT... Paul Gregory Katona Chapter 7

proceeding. The Court will also permit Manfred Schroer, Esq., Debtors' bankruptcy counsel, to testify for the same reason. The remaining five witnesses will not be permitted to testify (the Proulx, Joanne Crowell, Mr. Bond and Ms. Kido).

The Court recognizes that its ruling may have a major impact on Debtors' case. If Debtors wish to take an interlocutory appeal of the Court's ruling, the Court will adjust the scheduling order with respect to the date of the pretrial conference to permit such appeal to go forward and be determined.

UNITED STATES TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Paul Gregory Katona	Represented By Douglas A Plazak
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Defendant(s):

Paul Gregory Katona	Represented By Douglas A Plazak
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Gail Marie Katona	Represented By Douglas A Plazak
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Joint Debtor(s):

Gail Marie Katona	Represented By Douglas A Plazak
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Plaintiff(s):

United States Trustee for the Central	Represented By Everett L Green
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Trustee(s):

John P Pringle (TR)	Represented By Lynda T Bui Rika Kido Brianna L Frazier
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**United States Bankruptcy Court
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Thursday, March 21, 2019

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9:00 AM

CONT...

Paul Gregory Katona

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 21, 2019

Hearing Room 225

9:00 AM

6:16-15248 Murray Altman

Chapter 11

Adv#: 6:18-01121 Altman v. Shin

#8.00

Hrg. on Plaintiff's motion for leave to amend complaint pursuant to FRBP 7015, FRCP 15 and relief from scheduling order pursuant to FRBP 7016, FRCP 16

(Tele. appr. Kathleen P. March, rep. Defendants Yun Hei Shin)

Docket 11

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will deny the motion for the reasons argued by Ms. Shin.

MS. SHIN TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

Defendant(s):

Yun Hei Shin

Represented By
Kathleen P March

Plaintiff(s):

Murray Altman

Represented By
Andrew S Bisom

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 21, 2019

Hearing Room 225

9:00 AM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

#10.00

Hrg. on Confirmation of Second Amended chapter 11 plan

**(To be held in Courtroom 6C, 411 West Fourth Street, Santa Ana, CA
92701)**

(Cont. from 1/31/19)

Docket 0

***** VACATED *** REASON: Continued to 4/25/19 and 4/26/19 at 9:00
am, per order entered 3/8/19 - slh**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 21, 2019

Hearing Room 225

9:00 AM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

#11.00

Hrg. on creditor Havasu Lakehore Investments, LLC Motion filed 1/10/19 to Strike Supplemental Declarations of Terry L. Fleming, Jr. and Michael J. Vanderley

(Cont. from 1/31/19)

Docket 272

***** VACATED *** REASON: Continued to 4/11/19 at 2:00 pm - slh**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 21, 2019

Hearing Room 225

9:00 AM

6:18-17439 Robert Mansour Hamzey, Jr.

Chapter 7

Adv#: 6:18-01221 Hardt, Jr v. Hamzey, Jr. et al

#12.00

Hrg. Defendants' Motion filed 2/28/19 for reconsideration of the Court's Order on Motion by defendants to dismiss adversary proceeding.

Docket 27

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES NOT REQUIRED.

For good cause shown, the Court will grant relief pursuant to Rule 60(b) (applicable by reason of FRBP 9024), will vacate its ruling denying the motion to dismiss with prejudice and will set a hearing on the motion to dismiss for April 18, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Robert Mansour Hamzey Jr.

Represented By
Daniel C Sever

Defendant(s):

Robert Mansour Hamzey Jr.

Represented By
Daniel C Sever

Marie Ann Hamzey

Represented By
Daniel C Sever

Joint Debtor(s):

Marie Ann Hamzey

Represented By

**United States Bankruptcy Court
Central District of California
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Thursday, March 21, 2019

Hearing Room 225

9:00 AM

CONT... Robert Mansour Hamzey, Jr.

Daniel C Sever

Chapter 7

Plaintiff(s):

William Joseph Hardt Jr

Pro Se

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
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Thursday, March 21, 2019

Hearing Room 225

9:00 AM

6:18-17439 Robert Mansour Hamzey, Jr.

Chapter 7

Adv#: 6:18-01221 Hardt, Jr v. Hamzey, Jr. et al

#12.10

STATUS CONFERENCE re complaint for recovery of money/property pursuant to 11 U.S.C. Section 548 and Nondischargeability of debt 1 U.S.C. Section 523(A)(4)

(Cont. from 3/14/19)

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the status conference to March 21, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Robert Mansour Hamzey Jr.

Represented By
Daniel C Sever

Defendant(s):

Robert Mansour Hamzey Jr.

Pro Se

Marie Ann Hamzey

Pro Se

Joint Debtor(s):

Marie Ann Hamzey

Represented By
Daniel C Sever

**United States Bankruptcy Court
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Thursday, March 21, 2019

Hearing Room 225

9:00 AM

CONT... Robert Mansour Hamzey, Jr.

Chapter 7

Plaintiff(s):

William Joseph Hardt Jr

Pro Se

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 21, 2019

Hearing Room 225

9:00 AM

6:18-18943 Wayne Morris

Chapter 7

Adv#: 6:19-01011 Morris et al v. REO Property Group, LLC, a California limited liab

#13.00

Hrg. on Defendants' Motion filed 2/11/19 to Dismiss Adversary Proceeding

Docket 6

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES NOT REQUIRED.

In view of the parties' desire to mediate, as expressed in the Joint Status Report, filed March 18, 2019, the Court will order this matter into mediation. The parties shall file a mediation stipulation and lodge an order thereon on or before April 15, 2019.

The Court will continue the hearing on the motion to dismiss to August 7, 2019 and will take the status conference set for March 28, 2019 at 9:00 a.m. off calendar.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Wayne Morris

Represented By
Michael A Cisneros

Defendant(s):

REO Property Group, LLC, a

Represented By
Phillip C Law

Frank Zeng

Represented By
Phillip C Law

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 21, 2019

Hearing Room 225

9:00 AM

CONT... Wayne Morris

Chapter 7

Joint Debtor(s):

Celia Morris

Represented By
Michael A Cisneros

Plaintiff(s):

Wayne Morris

Represented By
Michael A Cisneros

Celia Morris

Represented By
Michael A Cisneros

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 21, 2019

Hearing Room 225

9:00 AM

6:19-10781 Yongming Sui

Chapter 11

#14.00

Hrg. on Chapter 11 Status Conference

(Tele. appr. Thomas Vogele, rep. creditor Yang)

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into compliance with U.S. Trustee's guidelines and requirements.

Next status conference: to be determined.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Yongming Sui

Represented By
Javier H Castillo

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Thursday, March 21, 2019

Hearing Room 6C

9:00 AM

8:17-14089 Mohdsameer Aljanedi Dental Corporation

Chapter 11

#9.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 10/15/17)

FR: 12-20-17; 3-7-18; 5-30-18; 9-12-18; 10-24-18 at 9:00 a.m.;10-24-18;
1-31-19

Docket 1

***** VACATED *** REASON: CONTINUED TO MARCH 27, 2019 AT
9:00 A.M. PER AMENDED ORDER RE CONTINUED STATUS
CONFERENCE ENTERED 1-25-19 - (DOCKET NO. [191])**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Mohdsameer Aljanedi Dental

Represented By
Andy C Warshaw
Richard L. Sturdevant

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, March 25, 2019

Hearing Room 6C

9:00 AM

8:17-11979 Michael R Artozqui

Chapter 13

#1.00

Motion for relief from stay [Real Property]

US Bank Trust National Association, As Trustee Of The SCIG Series III Trust vs.
DEBTOR
(Motion filed 2/22/19)

[RE: 2121 Baja Avenue, La Habra, CA 90631]

Docket 32

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1) and terminate the co-debtor stay.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Michael R Artozqui

Represented By
Julie J Villalobos

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, March 25, 2019

Hearing Room 6C

9:00 AM

8:18-14675 Tyson S. Lozano and Janelle O. Lozano

Chapter 7

#2.00

Motion for relief from stay [Personal Property]

Toyota Motor Credit Corporation vs. DEBTORS
(Motion filed 2/22/19)

[RE: 2015 Toyota Camry - VIN No.: 4T1BF1FK2FU496177]

Docket 11

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Tyson S. Lozano

Represented By
Christian T Spaulding

Joint Debtor(s):

Janelle O. Lozano

Represented By
Christian T Spaulding

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, March 25, 2019

Hearing Room 6C

9:00 AM

8:18-13743 Rohit Walia and Poonam Walia

Chapter 7

#3.00

Motion for relief from stay [Personal Property]

Cab West vs. DEBTORS
(Motion filed 2/28/19)

[RE: 2016 Ford Explorer - VIN No.: 1FM5K8FHXGGD13999]

Docket 58

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Rohit Walia

Represented By
Arash Shirdel

Joint Debtor(s):

Poonam Walia

Represented By
Arash Shirdel

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, March 25, 2019

Hearing Room 6C

9:00 AM

8:18-10560 Makali'i Paige Pawasarat

Chapter 13

#4.00

CONT'D Motion for relief from stay [Real Property]

Wilmington Trust, National Association, Not In Its Individually Capacity, But Solely As Trustee For MFRA Trust 2016-1, Its Assignees And/Or Successors vs. DEBTOR
(Motion filed 1/30/19)

[RE: 22496 Lake Forest Lane, Lake Forest, CA 92630]

FR: 2-25-19

Docket 42

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1) unless debtor is current by the date of the hearing.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Makali'i Paige Pawasarat

Represented By
Christopher J Langley

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, March 25, 2019

Hearing Room 6C

9:00 AM

8:19-10571 Brala Beverly

Chapter 7

#5.00

Motion for relief from stay [Unlawful Detainer]

Sequoia Equities - Paloma, A California Limited Partnership vs. DEBTOR
(Motion filed 2/27/19)

[RE: 26371 Paloma, No. 96, Foothill Ranch, CA 92610]

Docket 14

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Brala Beverly

Pro Se

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, March 25, 2019

Hearing Room 6C

2:00 PM

8:17-14089 Mohdsameer Aljanedi Dental Corporation

Chapter 11

#1.00

Hearing RE: Interim Application For Allowance Of Compensation And Reimbursement Of Expenses For The Period From April 14, 2018 Through January 24, 2019
(Application filed 1/28/19)

**[RE: ANDY C. WARSHAW - Attorney For Debtor]
[Fees: \$19,962.00; Expenses: \$0.00]**

Docket 194

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant and allow on an interim basis:

Attorney's fees: \$19,962.00

Attorney's expenses: \$0

APPLICANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Mohdsameer Aljanedi Dental

Represented By

Andy C Warshaw

Richard L. Sturdevant

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, March 25, 2019

Hearing Room 6C

2:00 PM

8:18-14218 Patrick C. Mastin and Suzanne D. Mastin

Chapter 7

#2.00

Hearing RE: Trustee's Objection And Objection To Debtors' Claim Of Homestead Exemption (Motion filed 2/4/19)

Docket 17

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will deny the motion without prejudice on grounds of mootness, in view of the amended claim of exemption filed on 3/13/19.

DEBTORS TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Patrick C. Mastin

Represented By
Patricia M Ashcraft
Sean C Ferry

Joint Debtor(s):

Suzanne D. Mastin

Represented By
Patricia M Ashcraft
Sean C Ferry

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Sean C Ferry
Jeffrey S Shinbrot

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, March 25, 2019

Hearing Room 6C

2:00 PM

8:17-10699 Sen Hieu Phung

Chapter 7

#3.00

Hearing RE: First Interim Application For Allowance And Payment Of Fees And Reimbursement Of Expenses For The Period From September 24, 2018 Through February 28, 2019
(Application filed 3/4/19)

**[RE: Weiland Golden Goodrich, LLP - Attorneys For Chapter 7 Trustee, Jeffrey I. Golden]
[Fees: \$17,315.00; Expenses: \$60.20]**

**For The Period From June 26, 2017 Through September 18, 2018
[Fees: \$7,650.00; Expenses: \$0.00]**

Docket 82

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant and allow on an interim basis:

Attorney's fees: \$24,965.00
Attorney's expenses: \$60.20

APPLICANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Sen Hieu Phung

Represented By
Jeffrey J Hagen

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Jeffrey I Golden

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, March 25, 2019

Hearing Room 6C

2:00 PM

CONT...

Sen Hieu Phung

Reem J Bello

Chapter 7

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, March 25, 2019

Hearing Room 6C

2:00 PM

8:14-12920 Michael Spnoza

Chapter 7

#4.00

Hearing RE: First Interim Application For Allowance And Payment Of Fees And Reimbursement Of Expenses For The Period From May 31, 2016 Through February 28, 2019
(Application filed 3/4/19)

**[RE: WEILAND GOLDEN GOODRICH LLP - Attorneys For Chapter 7
Trustee, Jeffrey I. Golden]
[Fees: \$17,990.00; Expenses: \$165.00]**

Docket 58

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant and allow on an interim basis:

Attorney's fees: \$17,990.00
Attorney's expenses: \$165.00

However, no payment shall be made until federal and state tax returns have been filed and the deadline under 11 U.S.C. § 505(b) shall have elapsed.

APPLICANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Michael Spnoza

Represented By
Marlin Branstetter
Leon Ozeran

Trustee(s):

Jeffrey I Golden (TR)

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, March 25, 2019

Hearing Room 6C

2:00 PM

CONT...

Michael Spnoza

Reem J Bello

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, March 26, 2019

Hearing Room 225

9:00 AM

6:18-20158 Steven Lynn Mason and Darnelle Cheri Mason

Chapter 7

#1.00

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

Motion for Relief from Stay

ACAR Leasing LTD vs. Debtors
(Motion filed 2-25-19)

RE: 2016 Chevrolet Malibu, VIN: 1G1ZE5ST4GF259359

(Tele. appr. Sheryl Ith, rep. creditor GMS)

Docket 20

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Steven Lynn Mason

Represented By
M. Wayne Tucker

Joint Debtor(s):

Darnelle Cheri Mason

Represented By
M. Wayne Tucker

Movant(s):

ACAR Leasing LTD d/b/a GM

Represented By
Jennifer H Wang

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, March 26, 2019

Hearing Room 225

9:00 AM

CONT... Steven Lynn Mason and Darnelle Cheri Mason

Chapter 7

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, March 26, 2019

Hearing Room 225

9:00 AM

6:18-20715 Stephen Todd Stires

Chapter 7

#2.00

Tiffany & Bosco - movant attorney

Motion for Relief from Stay

Bank of America, N.A. vs. Debtors
(Motion filed 2/28/19)

Re: U 2013 MERCEDES-B S CLASS; VIN NO. WDDNG7DBXDA496498

Docket 14

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2) unless Debtor is current by the time of the hearing.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Stephen Todd Stires

Represented By
Patricia M Ashcraft

Movant(s):

Bank of America, N.A.

Represented By
Megan E Lees

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, March 26, 2019

Hearing Room 225

9:00 AM

6:19-10893 Maricruz Ortiz

Chapter 7

#3.00

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

Motion for Relief from Stay

Honda Lease Trust vs. DEBTOR, Todd Frealy, chapter 7 trustee
(Motion filed 3/1/19)

Re: 2016 HONDA ACCORD, VIN: 1HGC R2F3 5GA1 38686

Docket 9

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Maricruz Ortiz

Represented By
Stephen D Brittain

Movant(s):

HONDA LEASE TRUST

Represented By
Vincent V Frounjian

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, March 26, 2019

Hearing Room 225

2:00 PM

6:17-17092 Francisco E. Caballero and Leticia G. Caballero

Chapter 7

#1.00

Hrg. on trustee's final report; applications for compensations

Docket 0

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant and allow:

Trustee's fees: \$873.03

Trustee's expenses: \$149.87

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Francisco E. Caballero

Represented By
Daniel C Sever

Joint Debtor(s):

Leticia G. Caballero

Represented By
Daniel C Sever

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, March 26, 2019

Hearing Room 225

2:00 PM

6:19-10456 RFS Sports, Inc.

Chapter 11

#2.00

Hrg. on Application filed 1/29/19 to Employ Javier H. Castillo as General Bankruptcy Counsel

(Cont. from 2/26/19)

Docket 23

Tentative Ruling:

APPEARANCES REQUIRED.

It is clear to the Court that Mr. Castillo may not represent both corporations and their principal (Mr. Sui). Potential conflicts of interest abound, and counsel would have divided loyalties were he to represent both corporate debtors and Mr. Sui. The Court therefore denies the application.

Party Information

Debtor(s):

RFS Sports, Inc.

Represented By
Javier H Castillo

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01167 Official Committee Of Unsecured Creditors v. Ink Systems, Inc.

#1.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Avoidance And Recovery Of Preferential Transfers Pursuant To 11 U.S.C. Sections 547 And 550
(Complaint filed 10/26/17)

FR: 2-28-18 at 9:00 a.m.; 2-28-18; 4-4-18; 12-12-18

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER APPROVING
STIPULATION OF DISMISSAL WITH PREJUDICE ENTERED 3-14-19 -
(DOCKET NO. [24])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green
Caroline Djang
Scott D Fink
Reed M Mercado

Defendant(s):

Ink Systems, Inc.

Represented By
Theodore A Cohen

Plaintiff(s):

Official Committee Of Unsecured

Represented By
Andrew W Caine

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

CONT...

Freedom Communications, Inc.

Jeffrey P Nolan

Chapter 11

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01176 Official Committee Of Unsecured Creditors v. Southern Lithoplate, Inc.

#2.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Avoidance And Recovery Of Preferential Transfers Pursuant To 11 U.S.C. Sections 547 And 550

(Complaint filed 10/26/17) (set at s/c held 2-28-18)

(S/C set at PTC held 12/19/18)

FR: 2-28-18; 10-24-18

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue this matter to September 18, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By

William N Lobel

Beth Gaschen

Alan J Friedman

Christopher J Green

Caroline Djang

Scott D Fink

Reed M Mercado

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

CONT... Freedom Communications, Inc.

Chapter 11

Defendant(s):

Southern Lithoplate, Inc.

Pro Se

Plaintiff(s):

Official Committee Of Unsecured

Represented By
Andrew W Caine

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01184 Official Committee Of Unsecured Creditors v. Professional Courier &

#3.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint For Avoidance
And Recovery Of Preferential Transfers Pursuant To 11 U.S.C. Sections 547
And 550

(Complaint filed 10/26/17)

(PTC set at S/C held 3/28/18)

FR: 3-28-18; 12/19/18

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue this matter to September 18, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green
Caroline Djang
Scott D Fink
Reed M Mercado

Defendant(s):

Professional Courier & Newspaper

Represented By
Justin D Harris

Brandt Brothers, LLC

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

CONT... Freedom Communications, Inc.

Chapter 11

Justin D Harris

Plaintiff(s):

Official Committee Of Unsecured

Represented By
Andrew W Caine
Jeffrey P Nolan

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01203 Official Committee Of Unsecured Creditors v. Central National Gottesman,

#4.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Avoidance And Recovery Of Preferential Transfers Pursuant To 11 U.S.C. Sections 547 And 550
(Complaint filed 10/26/17)

FR: 4-4-18; 12-19-18

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the status conference to August 14, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green
Caroline Djang
Scott D Fink
Reed M Mercado

Defendant(s):

Central National Gottesman, Inc.

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

CONT... Freedom Communications, Inc.

Chapter 11

David M Banker
Kyra E Andrassy

Plaintiff(s):

Official Committee Of Unsecured

Represented By
Andrew W Caine
Jeffrey P Nolan

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01204 Official Committee Of Unsecured Creditors v. Press-One Customer Care,

#5.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Avoidance And Recovery Of Preferential Transfers Pursuant To 11 U.S.C. Sections 547 And 550
(Complaint filed 10/26/17)

FR: 4-4-18; 12-12-18

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will set the pretrial conference for June 26, 2019 at 9:00 a.m. Defendant may calendar its motion for summary judgment for May 29, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green
Caroline Djang
Scott D Fink
Reed M Mercado

Defendant(s):

Press-One Customer Care, Inc.

Represented By
Scott A Schiff

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

CONT... Freedom Communications, Inc.

Chapter 11

Plaintiff(s):

Official Committee Of Unsecured

Represented By
Andrew W Caine
Jeffrey P Nolan

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01205 Official Committee Of Unsecured Creditors v. Goodwill Industries of

#6.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Avoidance And Recovery Of Preferential Transfers Pursuant To 11 U.S.C. Sections 547 And 550
(Complaint filed 10/26/17)

FR: 4-4-18, 12-12-18

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the status conference to September 18, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green
Caroline Djang
Scott D Fink
Reed M Mercado

Defendant(s):

Goodwill Industries of Orange

Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

CONT... Freedom Communications, Inc.

Chapter 11

Plaintiff(s):

Official Committee Of Unsecured

Represented By
Andrew W Caine
Jeffrey P Nolan

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01206 Official Committee Of Unsecured Creditors v. Turn-Key Solutions, Inc.

#7.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Avoidance And Recovery Of Preferential Transfers Pursuant To 11 U.S.C. Sections 547 And 550
(Complaint filed 10/26/17)

FR: 4-4-18; 12-12-18

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue this status conference to September 18, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green
Caroline Djang
Scott D Fink
Reed M Mercado

Defendant(s):

Turn-Key Solutions, Inc.

Represented By
Kristofer R McDonald

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

CONT... Freedom Communications, Inc.

Chapter 11

Plaintiff(s):

Official Committee Of Unsecured

Represented By
Andrew W Caine
Jeffrey P Nolan

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01209 Official Committee Of Unsecured Creditors v. Case Paper Co., Inc.

#8.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Avoidance And Recovery Of Preferential Transfers Pursuant To 11 U.S.C. Sections 547 And 550
(Complaint filed 10/26/17)

FR: 4-4-18; 12-12-18

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will issue an amended scheduling order:

1. All discovery shall close on June 30, 2019.
2. All discovery motions shall be heard before July 31, 2019.
3. All pretrial motions shall be heard before September 30, 2019.
4. Pretrial conference is set for October 9, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

CONT... Freedom Communications, Inc.

Chapter 11

Caroline Djang
Scott D Fink
Reed M Mercado

Defendant(s):

Case Paper Co., Inc.

Pro Se

Plaintiff(s):

Official Committee Of Unsecured

Represented By
Andrew W Caine
Jeffrey P Nolan

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01213 Official Committee Of Unsecured Creditors v. United Information Services,

#9.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Avoidance And Recovery Of Preferential Transfers Pursuant To 11 U.S.C. Sections 547 And 550
(Complaint filed 10/26/17)

FR: 4-4-18; 12-12-18

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will issue a scheduling order:

1. All fact discovery shall close on June 30, 2019.
2. All expert discovery shall close on September 30, 2019.
3. The sets a further status conference for October 9, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green
Caroline Djang
Scott D Fink

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

CONT... Freedom Communications, Inc.

Chapter 11

Reed M Mercado

Defendant(s):

Sourcehov LLC

Represented By
David B Golubchik

United Information Services, Inc.

Represented By
David B Golubchik

Plaintiff(s):

Official Committee Of Unsecured

Represented By
Andrew W Caine
Jeffrey P Nolan

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01180 Official Committee Of Unsecured Creditors v. Staffmark Investment LLC

#10.00

CONT'D Hearing RE: Defendant Staffmark Investment, LLC's Motion For Summary Judgment
(Motion filed 11/7/18)

FR: 12-19-18; 1-22-19

Docket 24

***** VACATED *** REASON: OFF CALENDAR - ORDER APPROVING
STIPULATION OF DISMISSAL WITH PREJUDICE ENTERED 2-15-19 -
(DOCKET NO. [57])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green
Caroline Djang
Scott D Fink
Reed M Mercado

Defendant(s):

Staffmark Investment LLC

Represented By
Scott A Schiff

Plaintiff(s):

Official Committee Of Unsecured

Represented By
Andrew W Caine
Jeffrey P Nolan

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01186 Official Committee Of Unsecured Creditors v. Circulation Technicians, Inc.

#11.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint For Avoidance
And Recovery Of Preferential Transfers Pursuant To 11 U.S.C. Sections 547
And 550

(Complaint filed 10/26/17)

(PTC set at S/C held 3/28/18)

FR: 3-28-18; 12/19/18

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER APPROVING
STIPULATION OF DISMISSAL WITH PREJUDICE ENTERED 1-8-19 -
(Docket No. [36])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green
Caroline Djang
Scott D Fink
Reed M Mercado

Defendant(s):

Circulation Technicians, Inc.

Represented By
Scott A Schiff

Plaintiff(s):

Official Committee Of Unsecured

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

CONT...

Freedom Communications, Inc.

Andrew W Caine
Jeffrey P Nolan

Chapter 11

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01193 Official Committee Of Unsecured Creditors v. One Stop Printing & Design

#12.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint For Avoidance
And Recovery Of Preferential Transfers Pursuant To 11 U.S.C. Sections 547
And 550

(Complaint filed 10/26/17)

(PTC set at S/C held 3/28/18)

FR: 3-28-18; 12-19-18

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER APPROVING
STIPULATION OF DISMISSAL WITH PREJUDICE ENTERED 2-1-19 -
[DOCKET NO. [16]]**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green
Caroline Djang
Scott D Fink
Reed M Mercado

Defendant(s):

One Stop Printing & Design Co.,

Represented By
Alan M Kindred
Stuart I Koenig

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

CONT... Freedom Communications, Inc.

Chapter 11

Plaintiff(s):

Official Committee Of Unsecured

Represented By
Andrew W Caine
Jeffrey P Nolan

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01199 Official Committee Of Unsecured Creditors v. Veritiv Operating Company

#13.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint For Avoidance
And Recovery Of Preferential Transfers Pursuant To 11 U.S.C. Sections 547
And 550

(Complaint filed 10/26/17)

(PTC set at S/C held 3/28/18)

FR: 3-28-19; 12-19-18

Docket 1

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF
DISMISSAL WITH PREJUDICE - (DOCKET NO. [12])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By

William N Lobel

Beth Gaschen

Alan J Friedman

Christopher J Green

Caroline Djang

Scott D Fink

Reed M Mercado

Defendant(s):

Veritiv Operating Company

Pro Se

Plaintiff(s):

Official Committee Of Unsecured

Represented By

Andrew W Caine

Jeffrey P Nolan

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

8:16-10849 Casey John Simon

Chapter 7

Adv#: 8:16-01187 Gordy v. Simon et al

#14.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Deny And Object To The Debtors' Discharge Pursuant To 11 U.S.C. Section 727 (Complaint filed 8/12/16)

FR: 11-9-16; 3-8-17; 5-31-17; 12-13-17; 2-28-18; 5-30-18; 9-5-18; 1-9-19

Docket 1

***** VACATED *** REASON: CONTINUED TO MAY 29, 2019 AT 9:00 A.M. PER ORDER ON STIPULATION ENTERED 3-21-19 - [DOCKET NO. [110]**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Casey John Simon

Represented By
Kelly Zinser

Defendant(s):

Casey John Simon

Represented By
Kelly Zinser

Korrine Ellen Simon

Represented By
Kelly Zinser

Joint Debtor(s):

Korrine Ellen Simon

Represented By
Kelly Zinser

Plaintiff(s):

Paul Thomas Gordy

Represented By
Gary Leibowitz

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

CONT... Casey John Simon

Chapter 7

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

8:18-11759 Chester Davenport

Chapter 7

Adv#: 8:18-01193 Basho Technologies Holdco C, LLC et al v. Chester

#15.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Determine Dischargeability Of Debt Under 11 U.S.C. Section 523(a)(4) And Objection To Discharge Under 11 U.S.C. Sections 727(a)(2) And (a)(3) (Complaint filed 10/26/18)

FR: 1-16-19; 1-23-19

Docket 1

***** VACATED *** REASON: CONTINUED TO APRIL 24, 2019 AT 9:00 A.M. PER ORDER APPROVING STIPULATION TO CONTINUE STATUS CONFERENCE ENTERED 3-8-19 - (DOCKET NO. [28])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Chester Davenport

Represented By
Michael Jay Berger

Defendant(s):

Davenport C. Chester

Pro Se

Plaintiff(s):

Basho Technologies Holdco C, LLC

Represented By
Bradley Gardner
Randy B Soref

Basho Technologies Holdco E, LLC

Represented By
Bradley Gardner
Randy B Soref

Hunoby Enterprises, LLC

Represented By
Bradley Gardner

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

CONT... Chester Davenport

Chapter 7

Earl P. Galleher III

Randy B Soref

Represented By
Bradley Gardner
Randy B Soref

Basho Technologies Holdco B, LLC

Represented By
Randy B Soref
Bradley Gardner

Trustee(s):

Karen S Naylor (TR)

Represented By
Kathleen J McCarthy
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

8:18-11759 Chester C Davenport

Chapter 7

Adv#: 8:18-01155 Naylor v. Sun et al

#16.00

CONT'D STATUS CONFERENCE Hearing RE: Chapter 7 Trustee's Complaint
Against Bianca Sun And Yan Yu Sun For:

- (1) For Imposition Of Resulting Trust;
- (2) For Imposition Of Constructive Trust;
- (3) Avoidance Of Actual Intent Fraudulent Transfer Under 11 U.S.C. Section 548(a)(1)(A);
- (4) Avoidance Of Constructive Fraudulent Transfer Under 11 U.S.C. Section 548(a)(1)(B);
- (5) Recovery Of Transfer Per Section 550;
- (6) Judgment Quieting Title;
- (7) Declaratory Relief; And
- (8) Turnover Of Property Of The Estate Pursuant To 11 U.S.C. Section 542
(Complaint filed 8/3/18)

FR: 10-24-18

Docket 1

***** VACATED *** REASON: CONTINUED TO JUNE 19, 2019 AT 9:00
A.M. PER SUMMONS ISSUED ON FIRST AMENDED COMPLAINT -
(DOCKET NO. [44])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Chester C Davenport

Represented By
Jing Wang

Defendant(s):

Yan Yu Sun

Pro Se

Bianca Sun

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

CONT... Chester C Davenport

Chapter 7

Plaintiff(s):

Karen Sue Naylor

Represented By
Thomas H Casey

Trustee(s):

Karen S Naylor (TR)

Represented By
Kathleen J McCarthy
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

8:18-10324 Alexander Mark Christian Isaly

Chapter 7

Adv#: 8:18-01083 B3 FIT, INC et al v. Isaly

#17.00

CONT'D PRE-TRIAL CONFERENCE RE: Complaint To Determine
Dischargeability Of Debt Pursuant To 11 U.S.C. Sections 523(a)(4) And (6)
(Complaint filed 5/11/18)
(PTC set at S/C held 8/1/18)

FR: 8-1-18

Docket 1

***** VACATED *** REASON: CONTINUED TO DECEMBER 4, 2019 AT
9:00 A.M. PER ORDER ON MOTION TO REOPEN DISCOVERY AND TO
EXTEND PRE-TRIAL DATES ENTERED 3-10-19 - (DOCKET NO. [15])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Alexander Mark Christian Isaly

Represented By
Anthony B Vigil

Defendant(s):

Alexander Mark Christian Isaly

Pro Se

Joint Debtor(s):

Michele Leann Isaly

Represented By
Anthony B Vigil

Plaintiff(s):

Tina Shorter

Represented By
Ian Landsberg

Terence Shorter

Represented By
Ian Landsberg

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

CONT... Alexander Mark Christian Isaly
B3 FIT, INC

Represented By
Ian Landsberg

Chapter 7

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

8:16-11202 QF Liquidation Inc.

Chapter 11

#18.00

CONT'D Hearing RE: Debtor's Motion For An Entry Of An Order Barring, Estopping, Enjoining, Discharging And Deeming Waived The Claim Of The Internal Revenue Service For Certain Penalties Or, In The Alternative, Determining Penalties Should Be Zero
(Motion filed 12/20/18)

FR: 12-28-18; 1-23-19

Docket 611

***** VACATED *** REASON: OFF CALENDAR - STIPULATED ORDER
RESOLVING ISSUES SET FORTH IN DEBTOR'S MOTION ENTERED 3-
21-19 - [DOCKET NO. [644]**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

QF Liquidation Inc.

Represented By
Marshall J Hogan
Victor A Vilaplana

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

8:16-11202 QF Liquidation Inc.

Chapter 11

#19.00

CONT'D Hearing RE: Motion For Entry Of An Order (I) For Approving The Disclosure Statement; (II) Establishing Voting Record Date; (III) Approving Solicitation Packages And Distribution Procedures; (IV) Approving Form Of Ballots And Establishing Procedures For Voting On Plan Of Liquidation; (V) Approving Forms Of Notices To Non-Voting Classes Under Plan; (VI) Establishing Voting Deadline To Accept Or Reject Plan; (VII) Approving Procedures For Vote Tabulations; And (VIII) Establishing Confirmation Hearing Date And Notice And Objection Procedures Thereof
(Motion filed 12/5/18)

FR: 1-23-19; 2-27-19

Docket 606

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will overrule objections of the Quantum Shareholders' Group to the proposed disclosure statement for the reasons stated by debtor QF Liquidation, Inc. in its reply.

The Court will approve the disclosure statement with certain minor modifications that the Court will indicate at the hearing.

The Court will enter an order addressing the following matters:

1. The disclosure statement, plan and ballots shall be filed and served (in accordance with the procedures described in the disclosure statement) on or before April 5, 2019.

2. Ballots and any objections to plan confirmation shall be due May 10, 2019.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

CONT...

QF Liquidation Inc.

Chapter 11

3. Replies to objections, the ballot summary and the plan confirmation memorandum shall be due May 24, 2019.

4. The plan confirmation hearing shall be held June 19, 2019 at 2:00 p.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

QF Liquidation Inc.

Represented By
Marshall J Hogan
Victor A Vilaplana

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

8:17-14089 Mohdsameer Aljanedi Dental Corporation

Chapter 11

#20.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 10/15/17)

FR: 12-20-17; 3-7-18; 5-30-18; 9-12-18; 10-24-18 at 9:00 a.m.;10-24-18;
1-31-19; 3-21-19

Docket 1

***** VACATED *** REASON: CONTINUED TO APRIL 17, 2019 AT 9:00
A.M. PER HEARING HELD JANUARY 23, 2019**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Mohdsameer Aljanedi Dental

Represented By

Andy C Warshaw

Richard L. Sturdevant

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

8:18-11792 Modern VideoFilm, Inc.

Chapter 11

Adv#: 8:18-01084 Modern VideoFilm, Inc. v. Barkat et al

#21.00

CONT'D Hearing RE: Motion For Reconsideration And Clarification Of Order Denying Debtor's Motion To Approve Stipulation RE Production Of Documents By Managease, Inc. Pursuant To Local Rule 9013-1(o) (Motion filed 11/26/18)

FR: 12-19-18; 2-27-19

Docket 88

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court agrees with movant Modern VideoFilm, Inc. that it made an error in law in concluding that the state law of privilege applies in a case where there is a mixture of federal and state claims for relief in a federal case. *Wilcox v. Arpaio*, 753 F.3d 872, 876 (9th Cir. 2014) (" . . . federal privilege law governs"); *Agser v. Maricopa Cnty.*, 422 F.3d 836 (9th Cir. 2005). Therefore, it vacates its Order on Motion to Approve Stipulation Re Production of Documents By Managease, Inc. Pursuant to L.R. 9013-1, Docket No. 84, filed and entered November 15, 2018.

The Court believes it would benefit from additional briefing on the issues of whether (1) the mediation agreement allegedly entered into by the Barkat Parties and Managease in connection with the mediation before JAMS (referred to in the Christopher D. Beatty Declaration) contains confidentiality provisions that would render non-discoverable the materials Managease has been asked to produce; (2) Rule 408 does apply here and bars the discovery of such materials because Modern VideoFilm, Inc. proposes to use them to disprove Managease's liability to Mr. Barkat and to prove that its real liability was to Modern VideoFilm, Inc. and (3) even if such materials are excluded from evidence, do they still remain discoverable?

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

CONT... **Modern VideoFilm, Inc.**

Chapter 11

With respect to issue (1), the parties who brief this issue should take into account *Facebook, Inc. v. Pacific Northwest Software, Inc.*, 640 F.3d 1034 (9th Cir. 2011) where the United States Court of Appeals for the Ninth Circuit held that mediation stipulations or agreements are enforceable against the parties to the mediation in accordance with their terms. In its Reply to Opposition to Motion For Reconsideration, Docket No. 94, filed December 11, 2018 (the "Reply"), Modern VideoFilm, Inc. argued that Modern VideoFilm, Inc. was a party to the mediation. Reply at page 22 of 29, line 28 ("In this case, *MVF was a party to the Managease mediation.*" Italics in the original).

Modern VideoFilm, Inc.'s brief is due on or before April 17, 2019. The Barkat Parties opposition is due on or before May 8, 2019. Modern VideoFilm, Inc.'s reply is due on or before May 22, 2019. This matter will then be re-heard by the Court on June 17, 2019 at 2:00 p.m.

Party Information

Debtor(s):

Modern VideoFilm, Inc.

Represented By
Garrick A Hollander
Andrew B Levin
Peter W Lianides

Defendant(s):

Moshe Barkat

Represented By
Juliet Y Oh
David L. Neale

Modern VideoFilm Holdings, LLC

Represented By
Juliet Y Oh
David L. Neale

Sidan Engineering, L.P.

Represented By
David L. Neale

Sivan Barkat Sherman

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, March 27, 2019

Hearing Room 6C

9:00 AM

CONT... Modern VideoFilm, Inc.

Chapter 11

Danielle Barkat Turner

David L. Neale

Represented By
David L. Neale

Deborah Barkat

Represented By
David L. Neale

Plaintiff(s):

Modern VideoFilm, Inc.

Represented By
Garrick A Hollander
Richard H Golubow

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 28, 2019

Hearing Room 225

9:00 AM

6:17-17312 Flem Earl McMillan and Lydia Ventura McMillan

Chapter 11

#1.00

Hrg. on Chapter 11 Status Conference

(Cont. from 11/20/18)

Docket 0

*** VACATED *** REASON: Cont. to 4/1/19 @ 9:00 a.m. by order signed
on 3/27/19 - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Flem Earl McMillan

Represented By
Todd L Turoci
Todd L Turoci

Joint Debtor(s):

Lydia Ventura McMillan

Represented By
Todd L Turoci
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 28, 2019

Hearing Room 225

9:00 AM

6:17-17842 Daniel Lawrence Cohen
Adv#: 6:19-01002 Pringle v. Cohen

Chapter 7

#2.00

STATUS CONFERENCE re: Complaint by John P. Pringle against Daniel Lawrence Cohen. (41 (Objection / revocation of discharge - 727(c),(d),(e)))

Docket 1

***** VACATED *** REASON: Judgment Revoking Debtor's discharge
entered 3/8/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Daniel Lawrence Cohen

Represented By
Robert L Firth

Defendant(s):

Daniel Lawrence Cohen

Pro Se

Plaintiff(s):

John P. Pringle

Represented By
D Edward Hays

Trustee(s):

John P Pringle (TR)

Represented By
D Edward Hays

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 28, 2019

Hearing Room 225

9:00 AM

6:18-18943 Wayne Morris

Chapter 7

Adv#: 6:19-01011 Morris et al v. REO Property Group, LLC, a California limited liab

#3.00

STATUS CONFERENCE re: Complaint by Wayne Morris, Celia Morris against REO Property Group, LLC, a California limited liability company, Frank Zeng

Docket 1

*** VACATED *** REASON: Off Calendar per Order entered on Motion to Dismiss Adversary Proceeding - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Wayne Morris

Represented By
Michael A Cisneros

Defendant(s):

REO Property Group, LLC, a

Pro Se

Frank Zeng

Pro Se

Joint Debtor(s):

Celia Morris

Represented By
Michael A Cisneros

Plaintiff(s):

Wayne Morris

Represented By
Michael A Cisneros

Celia Morris

Represented By
Michael A Cisneros

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, March 28, 2019

Hearing Room 225

9:00 AM

CONT... Wayne Morris

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Monday, April 1, 2019

Hearing Room 225

9:00 AM

6:17-17312 Flem Earl McMillan and Lydia Ventura McMillan

Chapter 11

#1.00

Hrg. on Chapter 11 Status Conference

(Cont. from 3/28/19)

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into whether, as of the date of the status conference, the Debtors have made all payments required under the plan.

Next status conference: August 8, 2019.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Flem Earl McMillan

Represented By
Todd L Turoci
Todd L Turoci

Joint Debtor(s):

Lydia Ventura McMillan

Represented By
Todd L Turoci
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, April 8, 2019

Hearing Room 6C

9:00 AM

8:15-15244 Gary Scott and Denise Johnson-Scott

Chapter 13

#1.00

CONT'D Motion for relief from stay [Real Property]

U.S. Bank, N.A., Successor Trustee To LaSalle Bank National Association, On Behalf Of The Holders Of Bear Stearns Asset Backed Securities I Trust 2006-HE2, Asset-Backed Certificates Series 2006-HE2 - vs. DEBTOR
(Motion filed 10/16/17)

[RE: 3891 Claremont Street, Irvine, CA 92614]

FR: 11-13-17; 12-4-17; 1-8-18; 3-12-18; 3-19-18; 7-2-18; 10-15-18

Docket 95

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Gary Scott

Represented By
Michael A Younge

Joint Debtor(s):

Denise Johnson-Scott

Represented By
Michael A Younge

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, April 8, 2019

Hearing Room 6C

9:00 AM

8:18-10506 Jason Gayle McReynolds and Rebecca Lynn McReynolds

Chapter 13

#2.00

Motion for relief from stay [Peronal Property]

Capital One Auto Finance, A Division Of Capital One, N.A. vs. DEBTOR
(Motion filed 2/28/19)

**[RE: 2012 Ford Expedition XLT Sport Utility 4D]
[VIN No.: 1FMJU1H50CEF33774]**

Docket 46

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Jason Gayle McReynolds

Represented By
Brian J Soo-Hoo

Joint Debtor(s):

Rebecca Lynn McReynolds

Represented By
Brian J Soo-Hoo

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, April 8, 2019

Hearing Room 6C

9:00 AM

8:18-14218 Patrick C. Mastin and Suzanne D. Mastin

Chapter 7

#3.00

Motion for relief from stay [Real Property]

SchoolsFirst Federal Credit Union vs. DEBTORS
(Motion filed 3/12/19)

[RE: 2800 Keller Drive, #158, Tustin, CA 92782]

Docket 22

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will deny the motion without prejudice. Movant appears to be protected by an equity cushion of approximately \$55,000.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Patrick C. Mastin

Represented By
Patricia M Ashcraft

Joint Debtor(s):

Suzanne D. Mastin

Represented By
Patricia M Ashcraft

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Jeffrey S Shinbrot

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, April 8, 2019

Hearing Room 6C

2:00 PM

8:15-15311 Freedom Communications, Inc.

Chapter 11

#1.00

CONT'D STATUS CONFERENCE RE: (1) Status Of Chapter 11 Case; And (2) Requiring Report On Status Of Chapter 11 case (Petition filed 11/1/15)

FR: 1-13-16; 3-2-16; 4-13-16; 7-27-16; 12-7-16; 4-19-17; 8-30-17; 12-13-17; 4-9-18; 8-1-18; 11-14-18

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into (1) compliance with U.S. Trustee guidelines and requirements and (2) a rough estimate of the amount in controversy in the three remaining avoidance actions and the adversary proceeding against Aaron Kushner et al. (This estimate can be an aggregate of all four actions.)

Next status conference: October 16, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green
Caroline Djang
Scott D Fink
Reed M Mercado

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, April 8, 2019

Hearing Room 6C

2:00 PM

8:17-14205 Jonathan Friestedt and Darlene Friestedt

Chapter 7

#2.00

Hearing RE: Chapter 7 Trustee's Motion For Order Disallowing Claims:
(Motion filed 3/7/19)

Claim No. 4-1

Toyota Motor Credit Corporation

\$20,150.80

Docket 65

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant and allow Claims 4-1, 5-1 and 6-1 as secured claims only, not entitled to any distribution from the estate.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Jonathan Friestedt

Represented By
Julie J Villalobos

Joint Debtor(s):

Darlene Friestedt

Represented By
Julie J Villalobos

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, April 8, 2019

Hearing Room 6C

2:00 PM

8:17-14205 Jonathan Friestedt and Darlene Friestedt

Chapter 7

#3.00

Hearing RE: Chapter 7 Trustee's Motion For Order Disallowing Claims:
(Motion filed 3/7/19)

Claim No. 5-1

Toyota Motor Credit Corporation

\$13,662.00

Docket 67

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant and allow Claims 4-1, 5-1 and 6-1 as secured claims only, not entitled to any distribution from the estate.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Jonathan Friestedt

Represented By
Julie J Villalobos

Joint Debtor(s):

Darlene Friestedt

Represented By
Julie J Villalobos

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, April 8, 2019

Hearing Room 6C

2:00 PM

8:17-14205 Jonathan Friestedt and Darlene Friestedt

Chapter 7

#4.00

Hearing RE: Chapter 7 Trustee's Motion For Order Disallowing Claims:
(Motion filed 3/7/19)

Claim No. 6-1	Wells Fargo Bank, N.A..	\$716,682.60
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Docket 69

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant and allow Claims 4-1, 5-1 and 6-1 as secured claims only, not entitled to any distribution from the estate.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Jonathan Friestedt

Represented By
Julie J Villalobos

Joint Debtor(s):

Darlene Friestedt

Represented By
Julie J Villalobos

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, April 8, 2019

Hearing Room 6C

2:00 PM

8:17-14757 Carson Laboratories, Inc. , a Nevada Corporation

Chapter 7

#5.00

Hearing RE: Chapter 7 Trustee's Motion For Order Disallowing Claims:
(Motion filed 3/8/19)

Claim No. 4-1

Marko C. Barker

\$100,000.00

Docket 20

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will sustain the objection. Claim 4-1 is allowed as a secured claim only,
not entitled to any distribution from the estate.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Carson Laboratories, Inc. , a Nevada

Represented By
Charles W Daff

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, April 8, 2019

Hearing Room 6C

2:00 PM

8:17-14757 Carson Laboratories, Inc. , a Nevada Corporation

Chapter 7

#6.00

Hearing RE: Chapter 7 Trustee's Motion For Order Disallowing \$2,800.00 Of Claim No. 9-1 And Reclassifying It As A General Unsecured Claim:
(Motion filed 3/8/19)

Claim No. 9-1 Brown Jaynes \$571,197.00

Docket 22

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will sustain the objection as follows. Claim 9-1, a priority claim, is reclassified as an unsecured claim.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Carson Laboratories, Inc. , a Nevada

Represented By
Charles W Daff

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, April 8, 2019

Hearing Room 6C

2:00 PM

8:17-14757 Carson Laboratories, Inc. , a Nevada Corporation

Chapter 7

#7.00

Hearing RE: Chapter 7 Trustee's Motion For Order Disallowing Claims:
(Motion filed 3/8/19)

Claim No. 6-1

Jack O. Scrivner

\$50,000.00

Docket 24

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will sustain the objection. Claim 6-1 is disallowed in its entirety and reclassified as an interest in the Debtor corporation.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Carson Laboratories, Inc. , a Nevada

Represented By
Charles W Daff

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, April 9, 2019

Hearing Room 225

9:00 AM

6:19-11198 Byron Hernandez and Cassandra I Rodriguez

Chapter 7

#1.00

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

Motion for Relief from Stay

Santander Consumer USA Inc. vs. DEBTORS, John P.Pringle, trustee
(Motion filed 3/6/19)

RE: 2013 Honda Civic, VIN: 19XFB2F59DE266505

Docket 14

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Byron Hernandez

Represented By
Paul Y Lee

Joint Debtor(s):

Cassandra I Rodriguez

Represented By
Paul Y Lee

Trustee(s):

John P Pringle (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, April 9, 2019

Hearing Room 225

9:00 AM

6:19-11927 Esperanza Sanchez de Dominguez

Chapter 7

#2.00

Elder Law Center, P.C. - movant attorney

Motion for Relief from Stay

Motion in Individual case for order imposing a stay or continuing the automatic stay as the court deems appropriate

(Motion filed 3/18/19)

Re: 2415 W. Etiwanda Avenue, San Bernardino, CA 92410

Docket 13

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Esperanza Sanchez de Dominguez

Represented By
Ronald W Ask

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, April 9, 2019

Hearing Room 225

2:00 PM

6:17-16835 Olivia Patricia Goldsmith

Chapter 7

#1.00

Hrg. on chapter 7 trustee's Motion filed 3/4/19 to Allow Claim 3 of Bank of America, NA as Fully Secured, Not Entitled to a Dividend

Docket 27

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and allow Claim 3 as a secured claim only and not entitled to any distribution from the estate.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Olivia Patricia Goldsmith

Represented By
C Scott Rudibaugh

Trustee(s):

John P Pringle (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, April 9, 2019

Hearing Room 225

2:00 PM

6:18-12888 Haely Rodriguez

Chapter 7

#2.00

Hrg. on trustee's final report; applications for compensation

Docket 0

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant and allow:

Trustee's fees: \$1,125.00

Trustee's expenses: \$46.85

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Haely Rodriguez

Represented By
Luis G Torres

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, April 9, 2019

Hearing Room 225

2:00 PM

6:18-18135 Damien Latrell Rogers

Chapter 7

#3.00

Hrg. on Debtor's Motion filed 1/28/19 For Contempt against Fair for their intentional violation of the automatic stay

(Cont. from 3/12/19)

Docket 15

***** VACATED *** REASON: Notice of Settlement filed 3/15/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Damien Latrell Rogers

Represented By
Steven A Alpert
L. Tegan Rodkey

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, April 9, 2019

Hearing Room 225

2:00 PM

6:18-18731 Scott Shih Lee

Chapter 7

#4.00

Hrg. on Motion by Chapter 7 Trustee filed 3/14/19 to Extend Deadline to File Complaint to Deny Discharge Pursuant to Rule 4004(b)(1) of the Federal Rules of Bankruptcy Procedure

Docket 71

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Scott Shih Lee

Represented By
Ronald D Halpern

Trustee(s):

Robert Whitmore (TR)

Represented By
D Edward Hays
Tinho Mang

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 10, 2019

Hearing Room 6C

9:00 AM

6:18-10094 Deontay Daymont Potter and Joy Shaun Potter

Chapter 11

#1.00

Evidentiary hrg. re Operation re Objection to Claim No. 25 filed by Claimant Environmental Chemical & Consulting, Inc.

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The evidentiary hearing will go forward in Santa Ana at Courtroom 6C, 411 West 4th Street, Santa Ana, CA. No video hook-up from Riverside will be available.

Issues before the Court at the evidentiary hearing are:

1. Whether Debtors have made out a prima facie case that their objection to ECC's claim is equal or greater in probative force to the evidence set forth in ECC's proof of claim.
2. If a prima facie case has been made out under the foregoing standard, has ECC proved up its claim by a preponderance of the evidence?

Party Information

Debtor(s):

Deontay Daymont Potter

Represented By
M. Jonathan Hayes

Joint Debtor(s):

Joy Shaun Potter

Represented By
M. Jonathan Hayes

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 10, 2019

Hearing Room 6C

9:00 AM

8:16-15208 Michael Younessi

Chapter 11

Adv#: 8:17-01051 Diamond Enterprises, LTD., LP v. Younessi

#2.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint For Determination That Debt Is Non-Dischargeable Pursuant To 11 U.S.C. Sections 523(a)(2), (a)(4), (a)(6), And (a)(9)
(Complaint filed 4/10/17)
(Another Summons issued 6/8/17)
(PTC set at S/C held 9/13/17)

FR: 6-28-17; 8-30-17; 9-13-17; 3-28-18; 4-25-18; 7-25-18; 10-24-18; 1-16-19

Docket 1

***** VACATED *** REASON: CONTINUED TO AUGUST 14, 2019 AT
9:00 A.M. PER ORDER APPROVING STIPULATION ENTERED 4-8-19 -
(DOCKET NO. [128])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Younessi

Represented By
Michael Jones
Sara Tidd

Defendant(s):

Michael Younessi

Represented By
Roger Frederickson

Plaintiff(s):

Diamond Enterprises, LTD., LP

Represented By
M Douglas Flahaut

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 10, 2019

Hearing Room 6C

9:00 AM

8:18-11759 Chester Davenport

Chapter 7

Adv#: 8:18-01193 Basho Technologies Holdco C, LLC et al v. Chester

#3.00

CONT'D Hearing RE: Plaintiff's Motion To Strike Defendant's Affirmative
Defenses
(Motion filed 2/20/19)

FR: 3-13-19

Docket 17

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Chester Davenport

Represented By
Michael Jay Berger

Defendant(s):

Davenport C. Chester

Represented By
Michael Jay Berger

Plaintiff(s):

Basho Technologies Holdco E, LLC

Represented By
Bradley Gardner
Randy B Soref
Michael Jay Berger

Hunoby Enterprises, LLC

Represented By
Bradley Gardner
Randy B Soref
Michael Jay Berger

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 10, 2019

Hearing Room 6C

9:00 AM

CONT... Chester Davenport

Chapter 7

Earl P. Galleher III

Represented By
Bradley Gardner
Randy B Soref
Michael Jay Berger

Basho Technologies Holdco B, LLC

Represented By
Randy B Soref
Bradley Gardner
Michael Jay Berger

Basho Technologies Holdco C, LLC

Represented By
Bradley Gardner
Randy B Soref
Michael Jay Berger

Trustee(s):

Karen S Naylor (TR)

Represented By
Kathleen J McCarthy
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 10, 2019

Hearing Room 6C

9:00 AM

8:18-12427 James Russell Balsamo

Chapter 7

Adv#: 8:18-01189 Labor Commissioner, State of California v. Balsamo

#4.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Request
Determination Of Dischargeability Of Debt
(Complaint filed 10/15/18)
(Another Summons issued 1/14/19)

FR: 1-9-19

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The status conference will go forward.

Party Information

Debtor(s):

James Russell Balsamo

Represented By
Joseph M Tosti

Defendant(s):

James Russell Balsamo

Pro Se

Plaintiff(s):

Labor Commissioner, State of

Represented By
Phoebe P Liu

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 10, 2019

Hearing Room 6C

9:00 AM

8:18-12427 James Russell Balsamo

Chapter 7

Adv#: 8:18-01189 Labor Commissioner, State of California v. Balsamo

#5.00

Hearing RE: Service Issues
(Set per Order Entered 2/15/19)

Docket 17

***** VACATED *** REASON: OFF CALENDAR - ORDER VACATING
HEARING RE: SERVICE ISSUES ENTERED 4-8-19 - (DOCKET NO.
[32])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

James Russell Balsamo

Represented By
Joseph M Tosti

Defendant(s):

James Russell Balsamo

Pro Se

Plaintiff(s):

Labor Commissioner, State of

Represented By
Phoebe P Liu

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 10, 2019

Hearing Room 6C

9:00 AM

8:19-10402 Sepideh Sally Cirino

Chapter 11

#6.00

STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case; And (2) Requiring Report On Status Of Chapter 11 case (Petition filed 2/1/19)

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into compliance with U.S. Trustee guidelines and requirements.

The Court will set a deadline of July 31, 2019 for filing a plan and disclosure statement and a deadline of September 30, 2019 for confirming a plan.

Next status conference: TBD.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Sepideh Sally Cirino

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 10, 2019

Hearing Room 6C

9:00 AM

8:17-14478 Dennis Edward Lake

Chapter 7

Adv#: 8:18-01035 Federal Trade Commission v. Lake

#7.00

CONT'D STATUS CONFERENCE Hearing RE: Amended Complaint For
Nondischargeability Of Debt
(Complaint filed 2/9/18) (Amended Complaint filed 3/30/18)
(Another Summons issued 3/30/18)

FR: 5-23-18; 6-27-18; 10-24-18

Docket 9

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the status conference to October 16, 2019 at 9:00 a.m. The FTC is ordered to file, on or before October 2, 2019, an updated status report advising the Court of the status of criminal proceedings against defendant Dennis Lake.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Dennis Edward Lake

Represented By
D Justin Harelik

Defendant(s):

Dennis Edward Lake

Pro Se

Plaintiff(s):

Federal Trade Commission

Represented By
Michael P Mora

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 10, 2019

Hearing Room 6C

9:00 AM

CONT... Dennis Edward Lake

Chapter 7

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 10, 2019

Hearing Room 6C

9:00 AM

8:17-14478 Dennis Edward Lake

Chapter 7

Adv#: 8:18-01099 Lake v. Federal Trade Commission

#8.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint
(Complaint filed 6/6/18)

FR: 8-29-18; 10-24-18

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER GRANTING
MOTION TO STAY MAIN CASE AND RELATED FTC ADVERSARY
PROCEEDING AND DISMISSING ADVERSARY PROCEEDING
ENTERED 12-11-18 - (Docket No. [14])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Dennis Edward Lake

Represented By
D Justin Harelik

Defendant(s):

Federal Trade Commission

Pro Se

Plaintiff(s):

Dennis Edward Lake

Pro Se

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 10, 2019

Hearing Room 6C

10:00 AM

8:18-14389 Cathleen Anne Schreiner

Chapter 7

#1.00

Hearing RE: Reaffirmation Agreement Between Debtor And Ally Financial
(Motion filed 2/25/19)

[RE: 2014 Kia Soul - VIN No.: KNDJP3A5XE7736552 - \$6,911.36]

Docket 9

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Cathleen Anne Schreiner

Pro Se

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 10, 2019

Hearing Room 6C

2:00 PM

8:18-13760 Juana Pierda Mondragon

Chapter 13

#1.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 80

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Juana Pierda Mondragon

Represented By
Bryn C Deb

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 10, 2019

Hearing Room 6C

2:00 PM

8:18-14390 Twyla Renee Channel

Chapter 13

#2.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 2-6-19

Docket 18

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Twyla Renee Channel

Represented By
Kahlil J McAlpin

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 10, 2019

Hearing Room 6C

2:00 PM

8:18-14679 Virginia Ann Von Schaefer

Chapter 13

#3.00

CONT'D Hearing RE: Confirmaiton Of Chapter 13 Plan

FR: 3-13-19

Docket 17

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Virginia Ann Von Schaefer

Represented By
Omero Banuelos

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 10, 2019

Hearing Room 6C

2:00 PM

8:19-10181 Michael Leelin

Chapter 13

#4.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 3-13-19

Docket 2

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Leelin

Represented By
Julie J Villalobos

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 10, 2019

Hearing Room 6C

2:00 PM

8:19-10255 Maria Lucia Aguilar

Chapter 13

#5.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Maria Lucia Aguilar

Represented By
Jaime A Cuevas Jr.

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 10, 2019

Hearing Room 6C

2:00 PM

8:19-10274 Gabriel Garcia

Chapter 13

#6.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 15

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Gabriel Garcia

Represented By
Jaime A Cuevas Jr.

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 10, 2019

Hearing Room 6C

2:00 PM

8:19-10430 Martin Andelman and Stacey Andelman

Chapter 13

#7.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 12

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Martin Andelman

Represented By
Nathan Fransen

Joint Debtor(s):

Stacey Andelman

Represented By
Nathan Fransen

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 10, 2019

Hearing Room 6C

2:00 PM

8:19-10224 Luong Ngoc Dang

Chapter 13

#8.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL FOR FAILURE TO FILE SCHEDULES, STATEMENTS,
AND/OR PLAN ENTERED 2-11-19 - (DOCKET NO. [10])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Luong Ngoc Dang

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar

Wednesday, April 10, 2019

Hearing Room 6C

2:00 PM

8:19-10269 William G Stanley

Chapter 13

#9.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL ARISING FROM DEBTOR'S REQUEST FOR
VOLUNTARY DISMISSAL ENTERED 2-19-19 - (DOCKET NO. [16])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

William G Stanley

Represented By
Anthony P Cara

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 10, 2019

Hearing Room 6C

3:00 PM

8:14-14604 Felix Martinez

Chapter 13

#1.00

Hearing RE: Trustee's Verified Motion To Dismiss Case Due To Material Default Of A Plan Provision
(Motion filed 2/19/19)

Docket 79

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue this hearing to July 24, 2019 at 3:00 p.m. to give Mr. Martinez an opportunity to become current on all plan payments, provide tax returns to the Trustee and make arrangements regarding the CVIP claim.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Felix Martinez

Represented By
Joseph A Weber
Fritz J Firman

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 10, 2019

Hearing Room 6C

3:00 PM

8:14-15086 Alejandro Chavez and Francisca Ledesma Chavez

Chapter 13

#2.00

Hearing RE: Trustee's Motion For Order Dismissing Chapter 13 Proceeding
[11 U.S.C. Section 1307(c)(6)]
(Motion filed 2/13/19)

Docket 73

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and dismiss the case.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Alejandro Chavez

Represented By
Bryn C Deb

Joint Debtor(s):

Francisca Ledesma Chavez

Represented By
Bryn C Deb

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 10, 2019

Hearing Room 6C

3:00 PM

8:14-15194 Robin N. Willis

Chapter 13

#3.00

Hearing RE: Trustee's Verified Motion To Dismiss Case Due To Material Default Of A Plan Provision
(Motion filed 3/5/19)

Docket 59

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and dismiss the case.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS

Party Information

Debtor(s):

Robin N. Willis

Represented By
Marco A Torres

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 10, 2019

Hearing Room 6C

3:00 PM

8:16-13819 Joan Ellen Yates

Chapter 13

#4.00

CONT'D Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding For Failure To Make Plan Payments [11 U.S.C. 1307(c)]
(Motion filed 2/6/19)
(Opposition filed 2/15/19)
(Set per Notice of Hearing filed 2/15/19)

FR: 3-13-19

Docket 65

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and dismiss the case.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Joan Ellen Yates

Represented By
Allan S Williams

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 10, 2019

Hearing Room 6C

3:00 PM

8:17-11885 Jesus B Bailon and Rita Gonzaga Bailon

Chapter 13

#5.00

Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding For Failure To Make Plan Payments [11 U.S.C. 1307(c)]
(Motion filed 2/6/19)
(Opposition filed 2/17/19)
(Set per Notice of Hearing filed 2/17/19)

Docket 38

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and dismiss the case.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS

Party Information

Debtor(s):

Jesus B Bailon

Represented By
James Geoffrey Beirne

Joint Debtor(s):

Rita Gonzaga Bailon

Represented By
James Geoffrey Beirne

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 10, 2019

Hearing Room 6C

3:00 PM

8:17-13687 Michael Carlisle and Elizabeth Carlisle

Chapter 13

#6.00

CONT'D Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding For Failure To Make Plan Payments [11 U.S.C. 1307(c)]
(Motion filed 1/8/19)
(Opposition filed 1/31/19)
(Set per Notice of Hearing filed 1/31/19)

FR: 3-13-19

Docket 42

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion unless all required plan payments are brought current by the date of the hearing.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Michael Carlisle

Represented By
Julie J Villalobos

Joint Debtor(s):

Elizabeth Carlisle

Represented By
Julie J Villalobos

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 10, 2019

Hearing Room 6C

3:00 PM

8:18-11621 Christine K Roberts

Chapter 13

#7.00

Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding For Failure To Make Plan Payments [11 U.S.C. 1307(c)]
(Motion filed 2/16/19)
(Opposition filed 2/28/19)

Docket 75

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and dismiss the case unless Debtor is current on all plan payments by the date of the hearing.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS

Party Information

Debtor(s):

Christine K Roberts

Represented By
Bruce D White

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 10, 2019

Hearing Room 6C

3:00 PM

8:18-14679 Virginia Ann Von Schaefer

Chapter 13

#8.00

Hearing RE: Objection To Debtor's Claims Of Exemption
(Set per Notice of Hearing filed 3/19/19)

Docket 21

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and disallow the claimed exemptions for homestead and paid earnings.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Virginia Ann Von Schaefer

Represented By
Omero Banuelos

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 10, 2019

Hearing Room 6C

3:00 PM

8:14-16083 Jann Kempton

Chapter 13

#9.00

Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13
Proceeding For Failure To Make Plan Payments
[11 U.S.C. 1307(c)]
(Motion filed 3/5/19) (Opposition filed 3/19/19)

Docket 151

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF
WITHDRAWAL OF TRUSTEE'S MOTION FILED 4-4-19 (DOCKET NO.
[157])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jann Kempton

Represented By
David R Chase

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 10, 2019

Hearing Room 6C

3:00 PM

8:18-13558 Lovert B. Hogai

Chapter 13

#10.00

Hearing RE: Application Of Attorney For Debtor For Allowance Of Fees And Expenses Following Dismissal Or Conversion Of Chapter 13 Case Subject To A Rights And Responsibilities Agreement (RARA)
(Motion filed 2/28/19)
(Set per Notice of Hearing filed 3/21/19)

**[RE: RESNIK HAYES MORADI LLP - Attorneys For Debtor]
[Fees: \$7,790.00; Expenses: \$0.00]**

Docket 61

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the application in part. The Court will allow fees of \$7,790.00 but will limit applicant's recover from the bankruptcy estate to the lesser of (1) \$553.23 or (2) the amount of funds currently held by the chapter 13 trustee in this case.

APPLICANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Lovert B. Hogai

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 10, 2019

Hearing Room 6C

3:00 PM

8:16-14836 Magdalena Ku

Chapter 13

#11.00

Hearing RE: Motion Under Local Bankruptcy Rule 3015-1 (n) And (w) To Modify Plan Or Suspend Plan Payments
(Motion filed 3/20/19)
(Set per Trustee's Comments on or Objection filed 3/26/19)
(Notice of Hearing filed 3/26/19)

Docket 36

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will deny the motion with prejudice for the reasons stated by the Chapter 13 Trustee.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Magdalena Ku

Represented By
Christopher J Langley

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 11, 2019

Hearing Room 225

9:00 AM

6:16-13150 Paul Gregory Katona

Chapter 7

Adv#: 6:17-01216 Napoli v. Katona et al

#1.00

Pre-Trial Conference RE: Complaint by Royce Napoli against Paul Gregory Katona, Gail Marie Katona. (d),(e)),(72 (Injunctive relief - other))

(Cont. from 1/24/18)

Docket 1

***** VACATED *** REASON: Cont. to 10/10/19 @ 9:00 a.m. by Order
signed on 3/22/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Paul Gregory Katona

Represented By
Douglas A Plazak

Defendant(s):

Paul Gregory Katona

Represented By
Douglas A Plazak

Gail Marie Katona

Represented By
Douglas A Plazak

Joint Debtor(s):

Gail Marie Katona

Represented By
Douglas A Plazak

Plaintiff(s):

Royce Napoli

Represented By
Noah K McCall

Trustee(s):

John P Pringle (TR)

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 11, 2019

Hearing Room 225

9:00 AM

CONT...

Paul Gregory Katona

Lynda T Bui
Rika Kido
Brianna L Frazier

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 11, 2019

Hearing Room 225

9:00 AM

6:17-15972 Enriquez Q Amezcua

Chapter 7

Adv#: 6:19-01013 Pringle v. County of San Bernardino Child Support Services et

#2.00

STATUS CONFERENCE re: Complaint by John P. Pringle, chapter 7 trustee vs. Defendants, County of San Bernardino Child Support Services, Jesus Adrian Martinez, Everardo Esquivel, Henry Amezcua, Verenice Amezcua, Jorge Alfredo Pedroza De Leon, Miriam Garcia Velasco, Maria Del Carmen Garcia Amezcua against John P. Pringle. (Charge To Estate). Nature of Suit: (13 (Recovery of money/property - 548 fraudulent transfer)),(14 (Recovery of money/property - other))).

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

If the Court grants the trustee's motion for entry of default judgment, this status conference will be moot. If the Court denies said motion, it will continue this status conference to a date to be determined.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Enriquez Q Amezcua	Pro Se
--------------------	--------

Defendant(s):

County of San Bernardino Child	Pro Se
Jesus Adrian Martinez	Pro Se
Everardo Esquivel	Pro Se
Henry Amezcua	Pro Se
Verenice Amezcua	Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 11, 2019

Hearing Room 225

9:00 AM

CONT... Enriquez Q Amezcua Chapter 7

Jorge Alfredo Pedroza De Leon Pro Se

Miriam Garcia Velasco Pro Se

Maria Del Carmen Garcia Amezcua Pro Se

Plaintiff(s):

John P. Pringle

Represented By
Michelle A Marchisotto

Trustee(s):

John P Pringle (TR)

Represented By
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 11, 2019

Hearing Room 225

9:00 AM

6:17-15972 Enriquez Q Amezcua

Chapter 7

Adv#: 6:19-01013 Pringle v. Martinez et al

#3.00

Hrg. on Plaintiff's Motion filed 3/4/19 for Default Judgment against defendants Jesus Adrian Martinez, Everardo Esquivel, Henry Amezcua aka Obed Amezcua and Verenice Amezcua, Jorge Alfredo Pedroza De Leon, individually and DBA JP Classic Stone and Miriam Garcia Velasco, and Maria Del Carmen Garcia Amezcua, in her capacity as trustee of The Amezcua Family Living Trust

Docket 37

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the Chapter 7 Trustee's request for judicial notice.

The Court will grant all the relief requested in the Motion.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Enriquez Q Amezcua	Pro Se
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Defendant(s):

Jesus Adrian Martinez	Pro Se
Everardo Esquivel	Pro Se
Henry Amezcua	Pro Se
Verenice Amezcua	Pro Se
Jorge Alfredo Pedroza De Leon	Pro Se
Miriam Garcia Velasco	Pro Se

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CONT... Enriquez Q Amezcua Chapter 7
Maria Del Carmen Garcia Amezcua Pro Se

Plaintiff(s):

John P. Pringle

Represented By
Michelle A Marchisotto

Trustee(s):

John P Pringle (TR)

Represented By
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 11, 2019

Hearing Room 225

9:00 AM

6:17-16779 Carlitos Vargas

Chapter 7

Adv#: 6:17-01243 Vargas v. United States Department Of Education et al

#4.00

Hrg. on Defendant United States Department of Education Motion filed 8/2/18
Motion for Summary Judgment or Partial Summary Adjudication

(Cont. from 3/7/19)

Docket 29

Tentative Ruling:

APPEARANCES REQUIRED.

This matter comes before the Court on the motion for summary judgment (the "Motion") of defendants United States Department of Education ("DOE") and Educational Credit Management Corporation ("ECMC") (collectively, DOE and ECMC shall be referred to herein as "Defendants").

FACTUAL BACKGROUND

The key facts relating to the Motion are largely undisputed. Plaintiff-debtor Michelle Vargas ("Mrs. Vargas") filed a joint chapter 7 petition with her husband Carlitos Vargas ("Mr. Vargas") on August 14, 2017. Among the assets scheduled on the petition was a worker's compensation claim in the amount of \$100,000. This asset was claimed as entirely exempt property pursuant to California Code of Civil Procedure section 704.160. The section 341(a) meeting of creditors was held on September 18, 2017. On September 19, 2017, chapter 7 trustee Todd Frealy filed a report of no distribution effectively conceding that the worker's compensation claim was fully exempt.

Mrs. Vargas filed a complaint commencing this adversary proceeding to discharge her student loan debt on November 20, 2017. Mrs. Vargas seeks to discharge student loans of \$44,598.61 to DOE and \$28,222.03 to ECMC. These debts were incurred

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CONT...

Carlitos Vargas

Chapter 7

beginning in approximately July 2006 with respect to education at Bryman College in connection with medical assistant certification, at Everest College (a successor to Bryman College) to obtain an associate degree in criminal justice (for the purpose of becoming a parole officer) and at Argosy University to obtain a bachelor's degree in criminal justice. The education described above generally took place during the period 2006-2011.

Ultimately, the education Mrs. Vargas received proved to be of little remunerative benefit to her. She worked as a medical assistant after graduating from Bryman College, but earned only a minimum wage of \$7.40 per hour. This led her to try her hand at education relating to criminal justice, but that too failed. Everest College withheld her degree because she had not paid off her student loans. Her attendance at Argosy University ended when she learned the school was unaccredited – a fact that fatally undermined her efforts to become a parole officer.

Mrs. Vargas is approximately 31 years old. She began working at the Amazon Fulfillment Center in San Bernardino on September 27, 2016. Her gross income in 2017 was \$28,000. Her current salary remains in the range of approximately \$28,000 per annum. She believes she has little hope for advancement at Amazon because of her lack of a bachelor's degree. She has been on welfare, food stamps and WIC benefits for most of her life.

With the notable (and important) exceptions described below, Mrs. Vargas and her husband live a very frugal life. Mr. Vargas is disabled as a result of a work-related injury. (Specifically, he suffered four herniated discs in his spine that, along with associated complications, have made it impossible for him to continue work as a laborer). Mrs. Vargas's very modest income supports Mr. Vargas and her two sons (ages approximately 5 and 11). This family of four lives with Mrs. Vargas's sister and her sister's three children in a two-bedroom mobile home in Highland, California – in other words, eight people are living in a two-bedroom mobile home. Mrs. Vargas has pawned her wedding ring, cross, laptop computer and camera for cash several times to pay for household expenses. She frequently skips meals to save money.

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9:00 AM

CONT... Carlitos Vargas

Chapter 7

The student loans here at issue went into repayment status on July 24, 2013. From August 2014 through January 2017 Mrs. Vargas requested and obtained multiple deferments and forbearances. Repayment status again commenced in early 2017. Defendants allege that Mrs. Vargas made no payments on her student loan owed to DOE and only nominal payments on the loan owed to ECMC. Mrs. Vargas does not deny that she made no payments to DOE. Regarding the ECMC loan, she contends she made an unspecified number of \$5.00 per month payments and that she "also paid \$173.00 a month to Student Loan Corporation in 2013." In her declaration, these are described as "several payments."

On September 29, 2017 – about 46 days after the bankruptcy petition was filed, 10 days after the chapter 7 trustee's report of distribution and about 52 days before the adversary proceeding was commenced – Mr. Vargas received \$85,000 (after attorneys' fees and costs) as the result of a settlement with respect to his worker's compensation claim. Not one penny of this amount was paid to DOE or ECMC in respect of the student loans here at issue. Instead, Mr. and Mrs. Vargas spent the \$85,000 substantially as follows: (1) \$50,000 on a brand new 2018 Dodge Durango; (2) \$6,500.00 on breast enhancement surgery for Mrs. Vargas; (3) \$2,200 on a car stereo for Mrs. Vargas's step-father; (4) \$862.00 on jewelry for Mrs. Vargas; (5) \$2,000 on a bankruptcy filing for Mrs. Vargas's mother; (6) about \$1,000 for an iPhone 8 Plus; (7) \$437 for Disneyland tickets; (8) \$358 for Universal Studios; (9) \$501.48 on John's Incredible Pizza for a child's pizza party; (10) \$70 on Splash Kingdom; (11) \$65 per month for a membership at Massage Envy; (12) \$99 for a subscription to Amazon Prime; (13) \$15 for a monthly Netflix subscription; (14) \$8.99 for a monthly Spotify subscription; (15) \$35 per month for manicures and pedicures; and (16) an undisclosed amount for gifts and loans to family members.

Mrs. Vargas offers little defense for these extravagant expenditures. She contends that she and her husband bought the \$50,000 brand new Dodge Durango because their three previous vehicles had been repossessed during the preceding three years because payments hadn't been made on them and she "needed a safe and reliable vehicle that could accommodate her husband's disability and her family's needs." Opposition at

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CONT... Carlitos Vargas

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page 18, lines 6-10. Regarding the breast augmentation, she contends she was told by her doctor "that she would need to have the [2011] implants replaced in seven to ten years." Opposition at page 18, lines 14-17.

Importantly, Mrs. Vargas's Opposition to the Motion makes no argument that the postpetition expenditure of the \$85,000 should be treated differently than if the expenditure had occurred prepetition. Although there perhaps is a question of whether good faith and the other two *Brunner* tests should be applied exclusively based upon the facts as they stood as of the petition date (as opposed to as of the date the adversary complaint was filed) and that postpetition transactions should be disregarded, the Court expressly declines to consider this argument (and deems it to have been waived) by reason of Mrs. Vargas's failure to raise the argument in her Opposition.

In any event, the law is clear that a court can consider all evidence as of the trial date regarding the debtor's circumstances in making an undue hardship determination. This includes postpetition circumstances. *Roundtree-Crawley v. Educ. Credit Mgmt. Corp. (In re Crawley)*, 460 B.R. 421, 434-435 (Bankr. E.D. Pa. 2011). *See also Walker v. Sallie Mae Servicing Corp. (In re Walker)*, 427 B.R. 471, 483 (B.A.P. 8th Cir. 2010). This rule would apply with equal force to evidence available as of the hearing of a summary judgment motion.

ANALYSIS

Summary judgment is appropriate where there is no genuine dispute as to any material fact and the moving party is entitled to judgment as a matter of law. Fed. R. Bankr. P. 7056. The Court cannot weigh the evidence and must instead examine the evidence in the light most favorable to the non-moving party. *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242 (1986). The moving party has the burden of proof. *Id.*

Under the rule of the landmark cases of *Brunner v. New York Higher Educ. Services Corp.*, 831 F.2d 395 (2d Cir. 1987) and *United Student Aid Funds v. Pena (In re Pena)*, 155 F.3d 1108 (9th Cir. 1998), a debtor seeking to discharge student loans

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CONT...

Carlitos Vargas

Chapter 7

must prove undue hardship and, in so proving, must prove that (1) he or she cannot maintain a minimal standard of living for himself or herself and his or her dependents based upon current income, (2) additional circumstances exist indicating that this state of affairs is likely to persist for a significant portion of the repayment period for the student loans, and (3) that he or she has made good faith efforts to repay the loans. Because this test is in the conjunctive, not the disjunctive, a failure to prove any of three *Brunner* requirements conclusively demonstrates that an undue hardship is not present. *Roth v. Educ. Credit Mgmt. Corp. (In re Roth)*, 490 B.R. 908, 916 (B.A.P. 9th Cir. 2013) ("Failure to prove any one precludes discharge").

For the purpose of analyzing the Motion, the Court will assume without deciding that Defendants have failed to make a sufficient showing that Mrs. Vargas cannot prove up the first two of the three *Brunner* requirements. Thus, the Court focuses exclusively on the third of the *Brunner* requirements, namely whether Mrs. Brunner has failed to make good faith efforts to repay the loans.

Ninth Circuit law is clear that good faith for this purpose is measured by a debtor's efforts to obtain employment, maximize income and minimize expenses. Additionally, courts may also consider a debtor's efforts – or the lack thereof – to negotiate a repayment plan. *Educ. Credit Mgmt. Corp. v. Mason (In re Mason)*, 464 F.3d 878, 884 (9th Cir. 2006); *Roth v. Educ. Credit Mgmt. Corp. (In re Roth)*, *supra*, 490 B.R. at 917. Other important factors are whether the debtor has made any payments on the loan prior to filing for discharge and the timing of the debtor's attempt to have the loan discharged. *Roth v. Educ. Credit Mgmt. Corp. (In re Roth)*, *supra*, 490 B.R. at 917.

Good faith is a mixed issue of law and fact, and ordinarily is the type of issue that would be especially ill-suited for resolution on a summary judgment motion because the non-moving party is entitled to have the facts viewed in the manner most favorable to such party. When the facts are viewed through this special lens, the non-moving party generally would have shown enough good faith to withstand a motion for summary judgment.

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CONT... Carlitos Vargas

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This case, however, would appear to be the rare exception because the facts here – even when viewed in the manner most favorable to Mrs. Vargas – are so egregious that the absence of good faith is manifest. Mrs. Vargas’s failure to minimize expenses following the receipt of the \$85,000 looms so large in this case as to overshadow everything else that bears upon good faith. Mrs. Vargas and her husband received \$85,000 and did not devote even a single penny of this amount to the repayment of Mrs. Vargas’s student loans. Instead, the money was spent on a \$50,000 brand new Dodge Durango and a variety of other items that, in view of the family’s very limited financial resources, must be viewed as lavish and extravagant in a relative sense: manicures, pedicures, jewelry, a car stereo, an iPhone, trips to Disneyland and Universal Studios, more than \$500 on a child’s pizza party, etc. Viewing the evidence in the light most favorable to Mrs. Vargas, the Court accepts that the expenditure of \$6,500 for breast enhancement surgery was medically necessary and should not be considered to have been made in bad faith. But even with viewing the evidence in the manner most favorable to Mrs. Vargas, the same cannot be said for the expenditure of \$50,000 on a new Dodge Durango. It is no defense to say that the expenditure of \$50,000 on a brand new vehicle is justified because the three previous vehicles owned by the family were repossessed because of a failure to make car loan payments. Nor is it a defense to say that only a \$50,000 new Dodge Durango could qualify as "a safe and reliable vehicle that could accommodate her husband’s disability and her family’s needs." Opposition at page 18, lines 9-10. Why not a low-mileage three- or four-year old Dodge Durango? Why not an expenditure of \$30,000 for some other type of new vehicle meeting the Vargas’s needs with the other \$20,000 being used to partially repay the student loans?

None of the parties has quantified the total amount paid by Mrs. Vargas on her student loans. Defendants characterize the amount of payments on the ECMC loan as "nominal" and assert that no payments of any kind were ever made on the DOE loan. Mrs. Vargas does not dispute that no payments were ever made on the DOE loan but asserts she made several payments of \$173 to "Student Loan Corporation" and some payments of \$5. Viewing the evidence in the manner most favorable to Mrs. Vargas, the Court determines solely for purposes of the Motion that she paid more than \$500

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CONT...

Carlitos Vargas

Chapter 7

but less than \$1,000 on over \$70,000 of her student loans. The Court agrees with Defendants that these payments are nominal in amount and that they do not rescue Mrs. Vargas from the charge that she has not made a good faith effort to repay the loans, especially when the facts show she had access to over \$75,000 in cash (i.e., \$85,000 less the breast augmentation expenses) and did not use even one penny of that money to pay down any of the student loans. The Court concludes that Mrs. Vargas did not minimize her expenses as required by the good faith efforts test but instead significantly and unwarrantedly increased them at the expense of Defendants.

The Court also takes into account the timing of the filing of the bankruptcy petition. The petition was filed about 200 days after the loans again went into repayment status. This is close enough in time to be relevant, and the issue cuts against Mrs. Vargas.

The Court concludes that Mrs. Vargas failed to meet the good faith efforts test as a matter of law based upon the expenditure of all or substantially all the \$85,000 settlement payment without using any of these funds to repay student loans and based upon the timing of the filing of the bankruptcy petition.

The Court finds it unnecessary to consider the effect of Mrs. Vargas's disinclination to enter into a contingent payment program.

The Motion is granted. Summary judgment shall be entered in favor of defendants, with the Court determining that the student loans at issue are excepted from discharge and remain fully enforceable.

Party Information

Debtor(s):

Carlitos Vargas

Represented By
Todd L Turoci

Defendant(s):

United States Department Of

Represented By
Elan S Levey

Navient Corporation

Represented By
Robert S Lampl

**United States Bankruptcy Court
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CONT... Carlitos Vargas

Chapter 7

Navient Credit Finance Corporation	Represented By Robert S Lampl
Navient Solutions, Inc.	Represented By Robert S Lampl
Education Credit Management	Represented By Scott A Schiff

Joint Debtor(s):

Michelle Vargas	Represented By Todd L Turoci
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Plaintiff(s):

Michelle Vargas	Represented By Todd L Turoci
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Trustee(s):

Todd A. Frealy (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 11, 2019

Hearing Room 225

9:00 AM

6:18-16636 Littlefield Physical Therapy, Inc.

Chapter 11

#5.00

Hrg. on Chapter 11 Status Conference

(Cont. from 2/21/19)

(Tele. appr. George Blackmar, rep-. creditor, Vail Ranch Plaza)

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into (1) compliance with U.S. Trustee guidelines and requirements, (2) the status of the anticipated motion to approve the settlement with Vail Ranch Plaza L.P. and to dismiss the case.

Next status conference: June 20, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Littlefield Physical Therapy, Inc.

Represented By
Evan L Smith

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 11, 2019

Hearing Room 225

9:00 AM

6:19-10456 RFS Sports, Inc.

Chapter 11

#6.00

Hrg. on Chapter 11 Status Conference

(Cont. from 3/14/19)

(Tele. appr. Rafi Khatchadourian, rep. creditor, Wells Fargo Bank)

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into (1) the Debtor's compliance with U.S. Trustee guidelines and requirements and (2) Mr. Lane Bogard's role in these cases, and (3) whether RFS Sports complied with the Court's order that it come into compliance with U.S. Trustee guidelines and requirements by March 28, 2019.

Next status conference: to be determined.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

RFS Sports, Inc.

Represented By
Javier H Castillo

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 11, 2019

Hearing Room 225

9:00 AM

6:19-10456 RFS Sports, Inc.

Chapter 11

#7.00

Hrg. on Application filed 1/29/19 to Employ Javier H. Castillo as General Bankruptcy Counsel

(Cont. from 3/26/19)

(Tele. appr. Rafi Khatchadourian, rep. creditor, Wells Fargo Bank)

Docket 23

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue this hearing to May 21, 2019 at 2:00 p.m. for additional briefing on the following matters:

The Court previously indicate that it will not permit Mr. Castillo to represent both the corporations and their principal (Steven Sui). The U.S. Trustee makes the further argument that Mr. Castillo should not be permitted to represent both RFS Sports, Inc. the Field Sport, Inc. because they are jointly and severally liable on debt and that each entity has an interest in making the other entity pay as much as possible.

Mr. Castillo shall respond to these concerns by specifically identifying which person or entity he will be representing and which person or entity will obtain separate counsel. If Mr. Castillo believes the U.S. Trustee's argument is not well founded, he shall respond to that argument as well.

Mr. Castillo's brief is due on or before April 25, 2019. Any reply to Mr. Castillo's brief is due on or before May 9, 2019.

COURT TO PREPARE ORDER.

Party Information

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

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9:00 AM

CONT... RFS Sports, Inc.

Chapter 11

Debtor(s):

RFS Sports, Inc.

Represented By
Javier H Castillo

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 11, 2019

Hearing Room 225

2:00 PM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

Adv#: 6:18-01236 Fleming, Sr v. Havasu Lakeshore Investments

#1.00

Hrg of Judgment Lien Creditor, Havasu Lakeshore Investments Inc Motion to Dismiss Plaintiff's Complaint Pursuant to Rule 12(b)(6)

(Cont. from 3/7/19)

(Tele. appr. Martin Eliopulos, rep. Havasu)

Docket 4

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will deny the motion to dismiss for the reasons stated by Mr. Fleming Sr. in his opposition.

TERRY FLEMING SR. TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

Defendant(s):

Havasu Lakeshore Investments

Represented By
Martin A Eliopulos
Gregory M. Garrison

Movant(s):

Havasu Lakeshore Investments

Represented By
Martin A Eliopulos
Gregory M. Garrison

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

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Hearing Room 225

2:00 PM

CONT... Terry Lee Fleming, Sr

Chapter 11

Plaintiff(s):

Terry Lee Fleming Sr

Represented By
James E Till

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 11, 2019

Hearing Room 225

2:00 PM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

Adv#: 6:17-01273 Havasu Lakeshore Investments v. Fleming, Jr et al

#2.00

PRE-TRIAL CONFERENCE Hearing RE: lawsuit pending in State Court to
Bankruptcy Court
(Notice of Removal filed 12/13/17)

**[RE: Superior Court Of The State Of California For The County Of Orange,
Case No 30-2015-00805846-CU-FRCJC]
[Case: Havasu Lakeshore Investments, LLC v. Terry L. Fleming, Sr. et al.,]**

(Cont. from 3/7/19)

(Tele. appr. Martin Eliopulos, rep. Havasu)

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

Before the Court can proceed to a pretrial conference, it will be necessary to determine issues regarding jury trial, a motion to withdraw the reference and consent vs. non-consent to this Court's final determination of the adversary proceeding.

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

Defendant(s):

Terry Lee Fleming Jr

Represented By
Michael B Reynolds
James E Till

Patricia Wilson-Fleming

Represented By
Randall S Waier

**United States Bankruptcy Court
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Riverside
Judge Mark Wallace, Presiding
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Thursday, April 11, 2019

Hearing Room 225

2:00 PM

CONT... Terry Lee Fleming, Sr

Chapter 11

Havasu Landing LLC

Represented By
Michael B Reynolds
James E Till

Terry Lee Fleming Sr

Represented By
James E Till
Michael B Reynolds

Plaintiff(s):

Havasu Lakeshore Investments

Represented By
Martin A Eliopoulos

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 11, 2019

Hearing Room 225

2:00 PM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

Adv#: 6:17-01272 Fleming, Sr et al v. Doucette et al

#3.00

STATUS CONFERENCE Hearing RE: lawsuit pending in State Court to
Bankruptcy Court
(Notice of Removal filed 12/13/17)

**[RE: Superior Court Of The State Of California For The County Of
Riverside, Case No PSC1502480]**

[Case: Havasu Lakeshore Investments, LLC v. Terry L. Fleming, Sr. et al.,]

(Cont from 3/7/19)

(Tele. appr. Martin Eliopoulos, rep. Havasu)

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will issue a scheduling order:

1. All discovery shall close on October 31, 2019.
2. All discovery motions shall be heard before November 30, 2019.
3. All pretrial motions shall be heard before December 31, 2019.
4. Pretrial conference is set for January 15, 2020 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

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CONT... Terry Lee Fleming, Sr

Chapter 11

James E Till

Defendant(s):

Katherine Doucette

Represented By
Randall S Waier

Havasu Landing, LLC

Represented By
Michael B Reynolds

Terry Fleming, Jr.

Represented By
Michael B Reynolds

Plaintiff(s):

Terry Lee Fleming Sr

Represented By
James E Till
James E Till
James E Till

Havasu Lakeshore Investments

Represented By
Martin A Eliopulos

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 11, 2019

Hearing Room 225

2:00 PM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

#4.00

Hrg. on Chapter 11 Status Conference

(cont. from 3/7/19)

(Tele. appr. Martin Eliopoulos, rep. Havasu)

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into the Debtor's compliance with U.S. Trustee guidelines and requirements.

The plan confirmation hearing will go forward on April 25, 2019 at 9:00 a.m.

Status conference is continued to April 25, 2019 at 9:00 a.m. No updated status report is required.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 11, 2019

Hearing Room 225

2:00 PM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

#5.00

Hrg. on creditor Havasu Lakehore Investments, LLC Motion filed 1/10/19 to Strike Supplemental Declarations of Terry L. Fleming, Jr. and Michael J. Vanderley

(Cont. from 3/21/19)

(Tele. appr. Martin Eliopoulos, rep. Havasu)

Docket 272

Tentative Ruling:

APPEARANCES REQUIRED.

The Court agrees with the Debtor that the alue of the lots is not a new issue; it has been an issue in this case for quite a long time.

Accordingly, the Court denies the motion to strike.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, April 15, 2019

Hearing Room 6C

9:00 AM

8:17-12759 Bette Mae Doremus and Wilmington Savings Fund Society,

Chapter 13

#1.00

CONT'D Motion for relief from stay [Real Property]

Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, Not Individually
But As Trustee For Hilldale Trust vs. DEBTOR
(Motion filed 1/28/19)

[RE: 835 Amigos Way, No. 15, Newport Beach, CA 92660-4563]

FR: 2-25-19

Docket 98

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL ARISING FROM CHAPTER 13 TRUSTEE'S MOTION
TO DISMISS ENTERED 4-5-19 - (DOCKET NO. [114])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Bette Mae Doremus

Represented By
Christopher J Langley

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, April 15, 2019

Hearing Room 6C

9:00 AM

8:18-12658 Peter M Shotts

Chapter 7

#2.00

Motion for relief from stay [Personal Property]

BMW Bank Of North America vs. DEBTOR
(Motion filed 3/14/19)

**[RE: 2011 BMW 1 Series Convertible 2D 128i]
[VIN No: WBAUL7C5XBVM80835]**

Docket 56

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Peter M Shotts

Represented By
Mark D Klein

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, April 15, 2019

Hearing Room 6C

9:00 AM

8:18-14648 Stephen Lawrie

Chapter 13

#3.00

Motion for relief from [Real Property]

U.S. Bank Trust, N.A., As Trustee For LSF9 Master Participation Trust By
Caliber Home Loans, Inc., As Its Attorney In Fact vs. DEBTOR
(Motion filed 3/19/19)

[RE: 426 Camino Flora Vista, San Clemente, CA 92673]

Docket 32

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1) and terminate the co-debtor stay.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Stephen Lawrie

Represented By
Andy C Warshaw

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, April 15, 2019

Hearing Room 6C

9:00 AM

8:19-10380 Myra Orozco and Kenneth Orozco

Chapter 7

#4.00

Motion for relief from stay [Personal Property]

Ford Motor Credit Company, LLC vs. DEBTORS
(Motion filed 3/15/19)

[RE: 2016 Ford C-Max - VIN No.: 1FADP5CU3GL116736]

Docket 12

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Myra Orozco

Represented By
Amanda G Billyard

Joint Debtor(s):

Kenneth Orozco

Represented By
Amanda G Billyard

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, April 15, 2019

Hearing Room 6C

9:00 AM

8:19-10735 Glenn Nunez Patricio

Chapter 7

#5.00

Motion for relief from stay [Personal Property]

American Honda Finance Corporation vs. DEBTOR; And Jeffrey I. Golden,
Chapter 7 Trustee
(Motion filed 3/20/19)

[RE: 2016 Honda Accord - VIN No.: 1HGC R3F8 3GA0 19147]

Docket 8

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Glenn Nunez Patricio

Represented By
Jeffrey D Larkin

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, April 15, 2019

Hearing Room 6C

9:00 AM

8:19-10929 Elizabeth Martin

Chapter 13

#6.00

Hearing RE: Motion In Individual Case For Order Imposing A Stay Or Continuing The Automatic Stay As The Court Deems Appropriate (Motion filed 3/25/19)

[RE: 16 Blanco, Foothill Ranch, CA 92610]

Docket 10

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and continue the automatic stay as to the secured creditor / lessor.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Elizabeth Martin

Represented By
Amanda G Billyard

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, April 15, 2019

Hearing Room 6C

2:00 PM

8:17-13992 Christopher Stephen Caniglia

Chapter 7

#1.00

Hearing RE: Trustee's Final Report And Applications For Compensation And Reimbursement Of Expenses
(Final Report filed 3/7/19)

**[RE: THOMAS H. CASEY, Chapter 7 Trustee]
[Fees: \$4,424.16; Expenses: 0:00]**

**[RE: THOMAS H. CASEY, ESQ. - Attorney For Chapter 7 Trustee]
[Fees: \$9,487.50; Expenses: \$168.95]**

**[RE: HAHN FIFE & COMPANY - Accountant For Trustee]
[Fees: \$1,806.00; Expenses: \$250.10]**

Docket 55

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the application and allow:

Trustee's fees: \$4,424.16

Trustee's expenses: \$0

Attorney's fees: \$9,487.50

Attorney's expenses: \$168.95

Hahn Fife fees: \$1,806.00

Hahn Fife expenses: \$250.10

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Christopher Stephen Caniglia

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, April 15, 2019

Hearing Room 6C

2:00 PM

CONT... Christopher Stephen Caniglia

Julie J Villalobos

Chapter 7

Trustee(s):

Thomas H Casey (TR)

Represented By
Kathleen J McCarthy
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, April 15, 2019

Hearing Room 6C

2:00 PM

8:19-11218 US Direct LLC

Chapter 7

#2.00

STATUS CONFERENCE Hearing RE: Whether An Order For Relief Should Be Entered
(Involuntary Summons Issued 4/1/19)

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire whether (1) any party in interest (including but not limited to the debtor corporation) opposes the entry of an order for relief and (2) whether petitioner Roan (or Future Logistics, Inc.) satisfies the requirements under 11 U.S.C. § 303(b) for filing an involuntary petition.

The date of the next status conference or other hearing is to be determined.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

US Direct LLC

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, April 16, 2019

Hearing Room 225

9:00 AM

6:18-20158 Steven Lynn Mason and Darnelle Cheri Mason

Chapter 7

#1.00

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

Motion for Relief from Stay

ACAR Leasing LTD vs. DEBTORS, Lynda T. Bui, trustee
(Motion filed 3/20/19)

Re: 2016 Chevrolet Malibu, VIN: 1G1ZE5ST0GF186829

Docket 24

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Steven Lynn Mason

Represented By
M. Wayne Tucker

Joint Debtor(s):

Darnelle Cheri Mason

Represented By
M. Wayne Tucker

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, April 16, 2019

Hearing Room 225

9:00 AM

6:18-20715 Stephen Todd Stires

Chapter 7

#2.00

Tiffany & Bosco - movant attorney

Motion for Relief from Stay

Bank of America, N.A. vs. Debtors
(Motion filed 2/28/19)

Re: U 2013 MERCEDES-B S CLASS; VIN NO. WDDNG7DBXDA496498

(Cont. from 3/26/19)

Docket 14

***** VACATED *** REASON: Notice of Voluntary Dismissal of Motion
filed 4/4/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Stephen Todd Stires

Represented By
Patricia M Ashcraft

Movant(s):

Bank of America, N.A.

Represented By
Megan E Lees

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, April 16, 2019

Hearing Room 225

9:00 AM

6:18-20854 Cynthia Lucille Hart-Torrellas

Chapter 7

#3.00

Aldridge Pite, LLP - movant attorney

Motion for Relief from Stay

Bank of New York Mellon Trust Company vs. DEBTOR
(Motion filed 3/21/19)

Re: 5945 Cahuilla Avenue, Twentynine Palms, California 92277

Docket 11

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will deny the motion without prejudice. Movant appears to be adequately protected by a 13% equity cushion.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Cynthia Lucille Hart-Torrellas

Represented By
M. Wayne Tucker

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, April 16, 2019

Hearing Room 225

9:00 AM

6:19-10834 Richard Sawaya

Chapter 7

#4.00

Scheer Law Group, LLP - movant attorney

Motion for Relief from Stay

Logix Federal Credit Union vs. DEBTOR
(Motion filed 3/20/19)

Re: 2010 Honda Element

Docket 10

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Richard Sawaya

Represented By
Christopher Hewitt

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 17, 2019

Hearing Room 6C

9:00 AM

8:15-11423 Leonard Newman

Chapter 7

Adv#: 8:16-01261 Farmers & Merchants Bank Of Long Beach v. Newman et al

#1.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Determine
Dischargeability Of Debt
[11 U.S.C. Sections 523(a)(2)(A) and 523(a)(4)]
(Complaint filed 12/14/16)
(PTC set at S/C held 2/8/17)
(S/C set at PTC held 1/23/19)

FR: 2-8-17; 10-18-17; 2-28-18; 12-12-18; 1-23-19

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER DISMISSING
ACTION WITH PREJUDICE ENTERED 4-10-19 - (DOCKET NO. [33])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Leonard Newman

Represented By
Darvy M Cohan

Defendant(s):

Leonard Newman

Pro Se

Chrisy Anne Newman

Pro Se

Joint Debtor(s):

Chrisy Anne Newman

Represented By
Darvy M Cohan

Plaintiff(s):

Farmers & Merchants Bank Of Long

Represented By
Ronald Appel

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 17, 2019

Hearing Room 6C

9:00 AM

CONT... Leonard Newman

Chapter 7

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 17, 2019

Hearing Room 6C

9:00 AM

8:15-13556 John Olaf Halvorson

Chapter 7

#2.00

CONT'D Hearing RE: Motion For Order to Show Cause Pursuant to Local Bankruptcy Rule 9020-1 Why the Baeks Should Not Be Held in Contempt for Willfully Violating the Automatic Stay and Court Order and Sanctioned Pursuant to 11 U.S.C. Section 105
(Motion filed 5/29/18)
(Set per Order Entered 8-31-18)

FR: 10-22-18; 1-28-19

Docket 282

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the status conference to July 17, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

John Olaf Halvorson

Represented By
Marc C Forsythe
Charity J Manee

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Reem J Bello
Faye C Rasch
Jeffrey I Golden

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 17, 2019

Hearing Room 6C

9:00 AM

8:15-13556 John Olaf Halvorson

Chapter 7

Adv#: 8:15-01391 Baek et al v. Halvorson et al

#3.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint (Fraudulent Transfer; Constructive/Resulting Trust)
(Notice of Removal filed 10/14/15)
(S/C set per Order Setting S/C Entered 2/1/19)

**[RE: Civil Action: Richard Baek, et.al. vs. John O. Halvorson, et al.]
[Civil Case Number: 2:15-CV-15-CV-01425-WBS-DAD]
[Pending In: United States District Court, Eastern District of California]**

FR: 1-28-19

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER DISMISSING
ADVERSARY PROCEEDING FOR LACK OF SUBJECT MATTER
JURISDICTION ENTERED 4-8-19 - (DOCKET NO. [354])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

John Olaf Halvorson

Represented By
Marc C Forsythe
Charity J Miller

Defendant(s):

John O. Halvorson

Pro Se

Dan L. Halvorson

Pro Se

Jerry Ann Randall

Pro Se

PCC Fund I, LLC

Pro Se

Granite Bay Partners II, LLC

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 17, 2019

Hearing Room 6C

9:00 AM

CONT... John Olaf Halvorson Chapter 7

JH RE Holdings, LLC Pro Se

Commercial Income Advisors, Inc. Pro Se

Plaintiff(s):

Richard Baek Represented By
Reem J Bello

Pacific Commercial Group, LLC Represented By
Reem J Bello

Baek 153, LLP Represented By
Reem J Bello

Trustee(s):

Weneta M Kosmala (TR) Pro Se

Weneta M Kosmala (TR) Represented By
Reem J Bello

U.S. Trustee(s):

United States Trustee (SA) Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 17, 2019

Hearing Room 6C

9:00 AM

8:15-13556 John Olaf Halvorson

Chapter 7

Adv#: 8:15-01454 Baek v. Halvorson et al

#4.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Declaratory Judgment, Nondischargeability Of Debt
(Complaint filed 11/25/15)
(S/C set per Order Entered 2-1-19)

FR: 3-2-16; 6-22-16; 9-28-16; 10-19-16; 11-16-16; 1-28-19

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the status conference to July 17, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

John Olaf Halvorson

Represented By
Marc C Forsythe
Charity J Miller

Defendant(s):

John Olaf Halvorson

Represented By
Charity J Miller
Marc C Forsythe

Weneta M.A. Kosmala

Represented By
Reem J Bello

Plaintiff(s):

Grace Baek

Represented By
Christopher N Coyle

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 17, 2019

Hearing Room 6C

9:00 AM

CONT... John Olaf Halvorson

Chapter 7

Misty A Perry Isaacson
Corey B Tolliver
Ali Matin
Steven J. Katzman
Kyle Kveton

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Reem J Bello

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 17, 2019

Hearing Room 6C

9:00 AM

8:15-13556 John Olaf Halvorson

Chapter 7

Adv#: 8:17-01119 Kosmala v. Pacific Commercial Group, LLC et al

#5.00

STATUS CONFERENCE Hearing RE: Complaint:

- (1) For Turnover Of Property Of The Estate And For An Accounting Pursuant To 11 U.S.C. Section 542;
- (2) For Turnover Of Property Of The Estate And For An Accounting Pursuant To 11 U.S.C. Section 542;
- (3) For Turnover Of Property Of The Estate And For An Accounting Pursuant To 11 U.S.C. Section 542;
- (4) For Turnover Of Property Of The Estate And For An Accounting Pursuant To 11 U.S.C. Section 542;
- (5) To Avoid And Recover Fraudulent Transfers Pursuant To 11 U.S.C. Sections 544(B) And 550; And California Civil Code Sections 3439.04(a)(1); 3439.07 And 3439.09;
- (6) To Avoid And Recover Fraudulent Transfers Pursuant To 11 U.S.C. Sections 544(b) And 550; And California Civil Code Sections 3439.04(a)(2); 3439.07 And 3439.09;
- (7) To Avoid And Recover Fraudulent Transfers Under 11 U.S.C. Sections 544(b) And 550; And California Civil Code Sections 3439.05; 3439.07 And 3439.09;
- (8) To Avoid And Recover Fraudulent Transfers Pursuant To 11 U.S.C. Sections 544(A)(1)(A) And 550;
- (9) To Avoid And Recover Fraudulent Transfers Pursuant To 11 U.S.C. Sections 544(A)(1)(B) And 550;
- (10) To Avoid And Recover Unauthorized Post Petition Transfers Pursuant To 11 U.S.C. Sections 549 And 550;
- (11) Declaratory Relief;
- (12) To Preserve Transfers For The Benefit Of The Estate Pursuant To 11 U.S.C. Section 551; And
- (13) For Attorneys' Fees And Costs
(Complaint filed 7/15/17)
(PTC set at S/C held 3-7-18)
(S/C set per Order Entered 1-11-19)
(S/C reset per Order Entered 2-1-19)

FR: 10-4-17; 11-8-17; 1-17-18; 3-7-18; 11-28-18; 1-28-19

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 17, 2019

Hearing Room 6C

9:00 AM

CONT...

John Olaf Halvorson

Chapter 7

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the status conference to July 17, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

John Olaf Halvorson

Represented By
Marc C Forsythe
Charity J Miller

Defendant(s):

Grace Baek	Pro Se
Richard Baek	Pro Se
RGJ Baek, LLC	Pro Se
Baek 153, LLC	Pro Se
Baek Holdings, LLC	Pro Se
Baek 124, LLC	Pro Se
Baek Family Partnership, LLC	Pro Se
Pacific Commercial Group, LLC	Pro Se

Plaintiff(s):

Weneta M.A. Kosmala

Represented By
Reem J Bello

Trustee(s):

Weneta M Kosmala (TR)

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 17, 2019

Hearing Room 6C

9:00 AM

CONT...

John Olaf Halvorson

Reem J Bello
Faye C Rasch

Chapter 7

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 17, 2019

Hearing Room 6C

9:00 AM

8:15-13556 John Olaf Halvorson

Chapter 7

Adv#: 8:17-01120 Kosmala v. Hoosten et al

#6.00

CONT'D STATUS CONFERENCE RE: Complaint:

- (1) To Avoid And Recover Fraudulent Transfers Pursuant To 11 U.S.C. Sections 548(a)(1)(A), 548(a)(1)(B) And 550;
- (2) To Avoid And Recover Fraudulent Transfers Pursuant To 11 U.S.C. Sections 548(a)(1)(A), 548(a)(1)(B) And 550;
- (3) For Breach Of Contract;
- (4) To Avoid And Recover Fraudulent Transfers Pursuant To 11 U.S.C. Sections 548(a)(1)(A), 548(a)(1)(B) And 550;
- (5) To Avoid And Recover Preferential Transfers Pursuant To 11 U.S.C. Sections 547 And 550;
- (6) For Resulting Trust;
- (7) For Constructive Trust;
- (8) To Preserve Transfers For The Benefit Of The Estate Pursuant To 11 U.S.C. Section 551; And
- (9) For Attorneys' Fees And Costs
(set per order entered 3-2-18)

FR: 4-25-18; 7-25-18; 11-14-18; 12-12-18

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the status conference to July 17, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

John Olaf Halvorson

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 17, 2019

Hearing Room 6C

9:00 AM

CONT... John Olaf Halvorson

Chapter 7

Marc C Forsythe
Charity J Miller

Defendant(s):

Rod Van Zandt	Pro Se
PCC Fund 1, LLC	Pro Se
David Hoosten	Pro Se

Plaintiff(s):

Weneta M.A. Kosmala	Represented By Reem J Bello
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Trustee(s):

Weneta M Kosmala (TR)	Represented By Reem J Bello Faye C Rasch Jeffrey I Golden
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 17, 2019

Hearing Room 6C

9:00 AM

8:16-11202 QF Liquidation Inc.

Chapter 11

#7.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 case
(Petition filed 3/22/16)

FR: 6-1-16; 8-24-16; 10-12-16; 1-25-17; 2-8-17; 5-31-17; 10-18-17; 1-31-18;
5-2-18; 7-25-18; 11-14-18

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the status conference to June 19, 2019 at 2:00 p.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

QF Liquidation Inc.

Represented By
Marshall J Hogan
Victor A Vilaplana

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 17, 2019

Hearing Room 6C

9:00 AM

8:17-14089 Mohdsameer Aljanedi Dental Corporation

Chapter 11

#8.00

CONT'D POST-CONFIRMATION STATUS CONFERENCE Hearing RE: (1) Status of Chapter 11 Case; And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 10/15/17)

FR: 12-20-17; 3-7-18; 5-30-18; 9-12-18; 10-24-18 at 9:00 a.m.;10-24-18;
1-31-19; 3-21-19; 3-27-19

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER GRANTING
MOTION IN CHAPTER 11 CASE FOR THE ENTRY OF FINAL DECREE
AND CLOSING CASE ENTERED 4-2-19 - (DOCKET NO. [216])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Mohdsameer Aljanedi Dental

Represented By
Andy C Warshaw
Richard L. Sturdevant

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar

Wednesday, April 17, 2019

Hearing Room 6C

9:00 AM

8:17-14478 Dennis Edward Lake

Chapter 7

Adv#: 8:18-01035 Federal Trade Commission v. Lake

#9.00

CONT'D STATUS CONFERENCE Hearing RE: Amended Complaint For
Nondischargeability Of Debt
(Complaint filed 2/9/18) (Amended Complaint filed 3/30/18)
(Another Summons issued 3/30/18)

FR: 5-23-18; 6-27-18

Docket 9

*** VACATED *** REASON: OFF CALENDAR - ORDER VACATING
APRIL 17, 2019 STATUS CONFERENCE ENTERED 4-10-19 - (DOCKET
NO. [29])

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Dennis Edward Lake

Represented By
D Justin Harelik

Defendant(s):

Dennis Edward Lake

Pro Se

Plaintiff(s):

Federal Trade Commission

Represented By
Michael P Mora

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 17, 2019

Hearing Room 6C

9:00 AM

8:18-10324 Alexander Mark Christian Isaly

Chapter 7

Adv#: 8:18-01078 Heritage Law LLP v. Isaly

#10.00

CONT'D Hearing RE: Motion To Dismiss Adversary Proceeding For Determination Of Dischargeability And Objecting To Debtor's Discharge Pursuant To 11 U.S.C. Section 523 And 11 U.S.C. Section 727 (Motion filed 2/20/19)

FR: 3-13-19

Docket 12

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion and dismiss the action.

PLAINTIFF TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Alexander Mark Christian Isaly

Represented By
Anthony B Vigil
Jeffrey G Jacobs

Defendant(s):

Alexander Mark Christian Isaly

Represented By
Jeffrey G Jacobs

Joint Debtor(s):

Michele Leann Isaly

Represented By
Anthony B Vigil

Plaintiff(s):

Heritage Law LLP

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 17, 2019

Hearing Room 6C

9:00 AM

CONT... Alexander Mark Christian Isaly

Erik E Woodbury

Chapter 7

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 17, 2019

Hearing Room 6C

9:00 AM

8:18-10324 Alexander Mark Christian Isaly

Chapter 7

Adv#: 8:18-01078 Heritage Law LLP v. Isaly

#11.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Amended Complaint For
Determination Of Dischargeability And Objecting To Debtor's Discharge
Pursuant To Sections 523 And 727 Of The Bankruptcy Code
(Complaint filed 5/3/18)
(Amended Complaint filed 6/18/18)
(PTC set at S/C held 7/25/18)

FR: 2-27-19; 3-13-19

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will vacate this conference as moot in view of the dismissal of the
adversary proceeding.

Party Information

Debtor(s):

Alexander Mark Christian Isaly

Represented By
Anthony B Vigil

Defendant(s):

Alexander Mark Christian Isaly

Pro Se

Joint Debtor(s):

Michele Leann Isaly

Represented By
Anthony B Vigil

Plaintiff(s):

Heritage Law LLP

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 17, 2019

Hearing Room 6C

9:00 AM

CONT... Alexander Mark Christian Isaly

Erik E Woodbury

Chapter 7

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 17, 2019

Hearing Room 6C

9:00 AM

8:18-11792 Modern VideoFilm, Inc.

Chapter 11

Adv#: 8:18-01084 Modern VideoFilm, Inc. v. Barkat et al

#12.00

CONT'D Hearing RE: Motion To Dismiss Modern VideoFilm, Inc.'s First Amended Complaint
[Motion Treated As Summary Judgment Motion]
(Motion filed 7/6/18)

FR: 8-1-18; 10-17-18; 2-27-19

Docket 33

Tentative Ruling:

APPEARANCES REQUIRED.

This matter will go forward as a status conference only.

The Court will inquire again as to the status of Debtor's motion for order clarifying scope of the automatic stay in the Point.360 case pending before Judge Julia Brand.

Party Information

Debtor(s):

Modern VideoFilm, Inc.

Represented By
Garrick A Hollander
Andrew B Levin
Peter W Lianides

Defendant(s):

Moshe Barkat

Represented By
Juliet Y Oh
David L. Neale

Modern VideoFilm Holdings, LLC

Represented By
Juliet Y Oh
David L. Neale

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 17, 2019

Hearing Room 6C

9:00 AM

CONT... Modern VideoFilm, Inc.

Chapter 11

Sidan Engineering, L.P.

Represented By
David L. Neale

Sivan Barkat Sherman

Represented By
David L. Neale

Danielle Barkat Turner

Represented By
David L. Neale

Deborah Barkat

Represented By
David L. Neale

Hugh Miller

Represented By
David L. Neale

Plaintiff(s):

Modern VideoFilm, Inc.

Represented By
Garrick A Hollander

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 17, 2019

Hearing Room 6C

9:00 AM

8:18-13741 James Walter Seidel, Jr.

Chapter 7

Adv#: 8:19-01012 E.D.C. Technologies, Inc. v. Seidel, Jr. et al

#13.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Determine
Dischargeability OF Debt
(Complaint filed 1/14/19)
(Adversary reassigned from Judge Clarkson)

FR: 4-3-19

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will issue a scheduling order:

1. All discovery shall close December 31, 2019.
2. All discovery motions shall be heard before January 31, 2019.
3. All pretrial motions shall be heard before March 31, 2019.
4. Pretrial conference is set for April 8, 2020 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

James Walter Seidel Jr.

Represented By
Andrew S Bisom

Defendant(s):

James Walter Seidel Jr.

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 17, 2019

Hearing Room 6C

9:00 AM

CONT... James Walter Seidel, Jr.

Chapter 7

Andrew S Bisom

Andrew S Bisom

Pro Se

Molly Marie Seidel

Pro Se

Joint Debtor(s):

Molly Marie Seidel

Represented By
Andrew S Bisom

Plaintiff(s):

E.D.C. Technologies, Inc.

Represented By
Kathryn E Barrett

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 18, 2019

Hearing Room 225

9:00 AM

6:17-17328 Bradford Leon Fee

Chapter 7

Adv#: 6:18-01165 Speier v. Updike et al

#1.00

STATUS CONFERENCE re: Complaint by Steven M Speier against Judith A Updike, Jeffrey D Fee, Lisa R Fee, Larry C Lindenstein. (Charge To Estate). Complaint For: (1) Avoidance of Preferential Transfer (1) Pursuant to 11 U.S.C. § 547; (2) Avoidance of Preferential Transfer (2) Pursuant to 11 U.S.C. § 547; (3) Recovery of Avoided Transfer Pursuant to 11 U.S.C. § 550 Nature of Suit: (12 (Recovery of money/property - 547 preference))

(Cont. from 11/15/18)

Docket 1

*** VACATED *** REASON: Cont. to 8/22/19 by order signed on 4/8/19 -
jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Bradford Leon Fee

Represented By
Suzette Douglas

Defendant(s):

Judith A Updike

Pro Se

Jeffrey D Fee

Pro Se

Lisa R Fee

Pro Se

Larry C Lindenstein

Pro Se

Joint Debtor(s):

Christine Diane Fee

Represented By
Suzette Douglas

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 18, 2019

Hearing Room 225

9:00 AM

CONT... Bradford Leon Fee

Chapter 7

Plaintiff(s):

Steven M Speier

Represented By
Thomas J Eastmond

Trustee(s):

Steven M Speier (TR)

Represented By
Donald Reid
Robert P Goe
Goe & Forsythe LLP

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 18, 2019

Hearing Room 225

9:00 AM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

Adv#: 6:18-01046 Havasu Lakeshore Investments v. Fleming, Sr

#2.00

Status Conference re Complaint to (41) to block debtors discharge; to determine nondischargeability of debt re fraud judgment after jury trial; false pretenses, false representation, actual fraud)),(65 (Dischargeability - other)

(Cont. from 11/29/18)

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue this matter to April 25, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

Defendant(s):

Terry Lee Fleming Sr

Pro Se

Plaintiff(s):

Havasu Lakeshore Investments

Represented By
Frederick M. Reich
Martin A Eliopoulos
Grant G. Teeple

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 18, 2019

Hearing Room 225

9:00 AM

6:17-20442 Timothy David Murphy

Chapter 7

Adv#: 6:18-01218 Wells Fargo Bank, N.A. v. Murphy et al

#3.00

Hrg. on Plaintiff's Motion filed 3/26/19 to Deposit Funds into Court Registry and for Discharge

**(Tele. appr. Lynda Bui, rep. Trustee)
(Tele. appr. Donald H. Cram, rep. Wells Fargo)**

Docket 17

Tentative Ruling:

APPEARANCES REQUIRED.

The Cour grants Wells Fargo Bank, N.A.'s request for judicial notice.

The motion is granted.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Timothy David Murphy

Represented By
Timothy D Murphy
Patricia A Mireles

Defendant(s):

Timothy David Murphy

Represented By
Timothy D Murphy

Lynda T. Bui

Represented By
Michelle A Marchisotto

Patrick Keith Lafferty

Represented By
Timothy D Murphy

Mary Jane Lafferty

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 18, 2019

Hearing Room 225

9:00 AM

CONT... Timothy David Murphy

Chapter 7

Timothy D Murphy

Plaintiff(s):

Wells Fargo Bank, N.A.

Represented By
Bernard J Kornberg
Donald H Cram III
Jan T. Chilton

Trustee(s):

Lynda T. Bui (TR)

Represented By
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 18, 2019

Hearing Room 225

9:00 AM

6:18-12269 Christopher Allen Hageman

Chapter 7

Adv#: 6:18-01081 Escontrias v. Hageman et al

#4.00

PRE-TRIAL Conference re Complaint to Object to Debtors Discharge and Determine NonDischargeability of Debt under Code Section 523 by Pilar Escontrias against Christopher Allen Hageman, Crystal Dee Hageman, Kai Hargis. fraud as fiduciary, embezzlement, larceny)),(41 (Objection / revocation of discharge - 727(c),(d),(e)

Docket 1

***** VACATED *** REASON: Cont. to 5/21/19 @ 9:00 a.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Christopher Allen Hageman

Represented By
Roland D Tweed

Defendant(s):

Kai Hargis

Pro Se

Crystal Dee Hageman

Pro Se

Christopher Allen Hageman

Pro Se

Joint Debtor(s):

Crystal Dee Hageman

Represented By
Roland D Tweed

Plaintiff(s):

Pilar Escontrias

Represented By
Ada R Cordero-Sack

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 18, 2019

Hearing Room 225

9:00 AM

CONT... Christopher Allen Hageman

Chapter 7

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 18, 2019

Hearing Room 225

9:00 AM

6:18-12692 Leanna Therese Bonamici

Chapter 7

Adv#: 6:18-01170 Kathleen v. Bonamici

#5.00

STATUS CONFERENCE re: Complaint by Von Dehn Kathleen against Leanna Therese Bonamici. false pretenses, false representation, actual fraud))

(Cont. from 11/15/18)

(Tele. appr. R. Gibson Pagter, rep. creditor Von Dehn)

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will inquire whether the parties would like additional time to attempt to settle this dispute outside of mediation.

The date of the next status conference is to be determined.

Party Information

Debtor(s):

Leanna Therese Bonamici

Represented By
Christopher Hewitt

Defendant(s):

Leanna Therese Bonamici

Pro Se

Plaintiff(s):

Von Dehn Kathleen

Represented By
R Gibson Pagter Jr.

Trustee(s):

Charles W Daff (TR)

Represented By
R Gibson Pagter Jr.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 18, 2019

Hearing Room 225

9:00 AM

6:18-17439 Robert Mansour Hamzey, Jr.

Chapter 7

Adv#: 6:18-01221 Hardt, Jr v. Hamzey, Jr. et al

#6.00

STATUS CONFERENCE re complaint for recovery of money/property pursuant to 11 U.S.C. Section 548 and Nondischargeability of debt 1 U.S.C. Section 523(A)(4)

(Cont. from 3/21/19)

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will continue the status conference to June 20, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Robert Mansour Hamzey Jr.

Represented By
Daniel C Sever

Defendant(s):

Robert Mansour Hamzey Jr.

Pro Se

Marie Ann Hamzey

Pro Se

Joint Debtor(s):

Marie Ann Hamzey

Represented By
Daniel C Sever

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 18, 2019

Hearing Room 225

9:00 AM

CONT... Robert Mansour Hamzey, Jr.

Chapter 7

Plaintiff(s):

William Joseph Hardt Jr

Pro Se

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 18, 2019

Hearing Room 225

9:00 AM

6:18-17439 Robert Mansour Hamzey, Jr.

Chapter 7

Adv#: 6:18-01221 Hardt, Jr v. Hamzey, Jr. et al

#6.10

Hrg. on Defendant's Motion to Dismiss

Docket 27

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion without leave to amend as to the § 548 cause of action. Plaintiff does not have standing to bring that claim; it belongs solely to the bankruptcy trustee.

The Court will grant the motion with leave to amend as to the § 523(a)(2)(A) claim. Plaintiff has 30 days to file a First Amended Complaint.

DEBTOR-DEFENDANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Robert Mansour Hamzey Jr.

Represented By
Daniel C Sever

Defendant(s):

Marie Ann Hamzey

Represented By
Daniel C Sever

Robert Mansour Hamzey Jr.

Represented By
Daniel C Sever

Joint Debtor(s):

Marie Ann Hamzey

Represented By
Daniel C Sever

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 18, 2019

Hearing Room 225

9:00 AM

CONT... Robert Mansour Hamzey, Jr.

Chapter 7

Plaintiff(s):

William Joseph Hardt Jr

Pro Se

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 18, 2019

Hearing Room 225

9:00 AM

6:18-19108 Alfred Jake Kendrick

Chapter 7

Adv#: 6:19-01022 Kendrick-Patterson v. Kendrick

#7.00

STATUS CONFERENCE re: Complaint by Regena M Kendrick-Patterson against Alfred Jake Kendrick . (d),(e)) ,(68 (Dischargeability - 523(a)(6), willful and malicious injury)) ,(62 (Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud))

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will issue a scheduling order:

1. All discovery closes July 31, 2019.
2. All discovery motions shall be heard before August 31, 2019.
3. All pretrial motions shall be heard before Spetember 30, 2019.
4. Pretrial conference is set for October 17, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Alfred Jake Kendrick

Represented By
Rabin J Pournazarian

Defendant(s):

Alfred Jake Kendrick

Pro Se

Plaintiff(s):

Regena M Kendrick-Patterson

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 18, 2019

Hearing Room 225

9:00 AM

CONT... Alfred Jake Kendrick

Chapter 7

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 18, 2019

Hearing Room 225

9:00 AM

6:19-10781 Yongming Sui

Chapter 11

#8.00

Hrg. on Chapter 11 Status Conference

(Cont. from 3/21/19)

(Tele. appr. Raffi Khatchadourian, rep. creditor Wells Fargo Bank)

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire whether Debtor has complied with all U.S. Trustee guidelines and requirements as of March 31, 2019 in accordance with this Court's order resulting from the March 21, 2019 status conference.

The date of the next status conference is to be determined.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Yongming Sui

Represented By
Javier H Castillo

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 18, 2019

Hearing Room 225

10:00 AM

6:18-20331 Ramon Jose Crespo and Rosa Crespo

Chapter 7

#1.00

Hrg. on approval of Reaffirmation Agreement filed 3/7/19 Between Debtors and VW Credit, Inc., in the amount of \$ 22,462.40.

re: 2016 Volkswagon Passat

Docket 10

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtors' best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Ramon Jose Crespo

Represented By
Seema N Sood

Joint Debtor(s):

Rosa Crespo

Represented By
Seema N Sood

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 18, 2019

Hearing Room 225

10:00 AM

6:18-20557 Florence Evie Edwards

Chapter 7

#2.00

Hrg. on Approval of Reaffirmation Agreement filed 3/25/19 Between Debtor and SchoolsFirst Federal Credit Union, in the amount of \$17,836.76

Re: 2016 Honda Civic Sedan

Docket 9

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Florence Evie Edwards

Pro Se

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 18, 2019

Hearing Room 225

10:00 AM

6:19-10161 Marcus G Aguayo and Araceli N Aguayo

Chapter 7

#3.00

Hrg. on approval of Reaffirmation Agreement filed 3/7/19 Between Debtors and JPMorgan Chase Bank, NA., in the amount of \$ 10428.16

re: 2015 Honda - Accord

Docket 16

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtors' best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Marcus G Aguayo	Pro Se
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Joint Debtor(s):

Araceli N Aguayo	Pro Se
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Trustee(s):

Howard B Grobstein (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 18, 2019

Hearing Room 225

10:00 AM

6:19-10334 Asem Tanomand

Chapter 7

#4.00

Hrg. on approval of Reaffirmation Agreement filed on 3/12/19 Between Debtor and Alaska USA Federal Credit Union, in the amount of 14,144.85.

Re: 2013 Mercedes Benz C Class

Docket 12

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire whether the car is damaged or otherwise in bad shape.

Party Information

Debtor(s):

Asem Tanomand

Represented By
Kevin Tang

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 18, 2019

Hearing Room 225

10:00 AM

6:19-10405 Francisco Javier Reyes Pedroza

Chapter 7

#5.00

Hrg. on approval of Reaffirmation Agreement filed 3/4/19 Between Debtor and TD Auto Finance LLC, in the amount of \$11,747.90

Re: 2014 Scion FR-S

Docket 10

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Francisco Javier Reyes Pedroza

Represented By
Marlin Branstetter

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 18, 2019

Hearing Room 225

10:00 AM

6:19-10659 Mariah D Phelps

Chapter 7

#6.00

Hrg. on approval of Reaffirmation Agreement filed 3/7/19 Between Debtors and Toyota Motor Credit Corp., in the amount of \$ 18,358.05

Re: 2015 Toyota Camry

Docket 8

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Mariah D Phelps

Pro Se

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 18, 2019

Hearing Room 225

10:00 AM

6:19-10806 Cruz Maria Rivera

Chapter 7

#7.00

Hrg. on approval of Reaffirmation Agreement filed 3/12/19 Between Debtor and Alaska USA Feddeal Credit Union, in the amount of \$ 24,000.17.

Re: 2016 Chevrolet Colorado

Docket 11

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Cruz Maria Rivera

Represented By
Marlin Branstetter

Trustee(s):

John P Pringle (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 18, 2019

Hearing Room 225

10:00 AM

6:19-11390 Glenda Lynn Adams

Chapter 7

#8.00

Hrg. on approval of Reaffirmation Agreement filed 3/19/19 Between Debtor and Hyundai Motor Finance, in the amount of \$19,557.60

Re: 2016 Hyundai Veloster

Docket 9

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Glenda Lynn Adams

Represented By
Daniel King

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, April 22, 2019

Hearing Room 6C

9:00 AM

8:14-11729 Richard Clark Farrell
Adv#: 8:16-01123 Naylor v. Farrell

Chapter 7

#1.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: First Amended Complaint
For (1) Equitable Subordination Of Claim,
(2) Breach Of Fiduciary Duty, And
(3) Declaratory Relief
(Complaint filed 5/2/16) (First Amended Complaint filed 9/30/16)
(PTC set at S/C held 5/9/18)
(S/C set per Order Entered 5-11-18)
(PTC set at S/C held 11/14/18)

FR: 7-27-16; 9-14-16; 10-12-16; 12-8-16; 2-15-17; 3-6-17; 3-20-17; 6-28-17;
11-13-17; 3-28-18; 5-9-18; 11-14-18

Docket 19

Tentative Ruling:

APPEARANCES REQUIRED.

The Court may post a tentative ruling after reviewing the parties' Joint Pretrial Stipulation. Although the extended deadline for its submission was April 18, 2019, the Court notes that the parties have again stipulated to an extension, this time to April 18, 2019.

Party Information

Debtor(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Defendant(s):

Betty Farrell

Represented By
D Edward Hays

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, April 22, 2019

Hearing Room 6C

9:00 AM

CONT... Richard Clark Farrell

Chapter 7

Plaintiff(s):

Karen Sue Naylor

Represented By
Robert P Goe

Trustee(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, April 22, 2019

Hearing Room 6C

9:00 AM

8:19-10071 Christopher H. Boberg and Amanda S. Boberg

Chapter 7

#2.00

Motion for relief from stay [Personal Property]

Wells Fargo Bank, N.A., d/b/a Wells Fargo Auto vs. DEBTORS; And Jeffrey I. Golden, Trustee
(Motion filed 3/26/19)

[RE: 2015 Honda CR-V - VIN No.: 5J6RM4H58FL122464]

[Tele. appr., Sheryl K. Ith, repr., Wells Fargo Bank]

Docket 13

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Christopher H. Boberg

Represented By
Joseph M Tosti

Joint Debtor(s):

Amanda S. Boberg

Represented By
Joseph M Tosti

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, April 22, 2019

Hearing Room 6C

9:00 AM

8:19-10915 James Landon Buckle

Chapter 7

#3.00

Hearing RE: Motion In Individual Case For Order Confirming Termination Of Stay Under 11 U.S.C. Section 362(c)(3) Or That No Stay Is In Effect Under 11 U.S.C. Section 362(c)(4)(A)(ii)
(Motion filed 3/22/19)

[RE: 2009 BMW 5 Series 550i Sedan 4D - VIN No.: WBANW53589CT55791]

Docket 12

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL FOR FAILURE TO FILE SCHEDULES, STATEMENTS,
AND/OR PLAN ENTERED 4-1-19 - (DOCKET NO. [14])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

James Landon Buckle

Represented By
John Fitzgerald

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, April 22, 2019

Hearing Room 6C

9:00 AM

8:18-14470 Shahyar Zahedi and Shannon Denise Zahedi

Chapter 7

#4.00

Motion for relief from stay [Personal Property]

1st United Services Credit Union, Its Successors And/Or Assignees vs.
DEBTORS

[RE: 2013 Ford Fusion - 3FA6P0G77DR108815]

Docket 28

***** VACATED *** REASON: CONTINUED TO MAY 6, 2018 PER
AMENDED NOTICE OF MOTION FILED 4-3-19 - (DOCKET NO. [33])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Shahyar Zahedi

Represented By
Anerio V Altman

Joint Debtor(s):

Shannon Denise Zahedi

Represented By
Anerio V Altman

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, April 22, 2019

Hearing Room 6C

2:00 PM

8:18-13973 Cary Clare Lenard and Debbie L Lenard

Chapter 7

#1.00

Hearing RE: Motion Of United States Trustee To Determine Whether Compensation Paid To Counsel Was Excessive Under 11 U.S.C. Section 329 And F.R.B.P. 2017 And To Order Counsel To File A 2016(b) Statement (Motion filed 3/20/19)

Docket 38

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and order (1) disgorgement of \$565.00 and (2) voiding of agreement to pay any additional fees and costs.

UNITED STATES TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Cary Clare Lenard

Represented By
Julie Nong

Joint Debtor(s):

Debbie L Lenard

Represented By
Julie Nong

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, April 22, 2019

Hearing Room 6C

2:00 PM

8:19-10162 Heriberto Marin

Chapter 7

#2.00

Hearing RE: Motion To Vacate Order On Motion In Individual Case To Confirm Termination Of Stay Or That No Stay Is In Effect
(Motion filed 3/27/19)

[Tele. appr., Wendy Locke, repr., Wells Fargo Bank, N.A.]

Docket 30

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion. The Court amends its prior order denying the motion with prejudice to denying it without prejudice. The motion to confirm may now be re-filed.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Heriberto Marin

Represented By
Frank P Peterson

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, April 22, 2019

Hearing Room 6C

2:00 PM

8:15-15311 Freedom Communications, Inc.

Chapter 11

#3.00

Hearing RE: Motion For Order Approving Settlement By And Between The Committee, The Debtors, Central National Gottesman Inc. And WestRock SPFT, LLC f/k/a SP Fiber Technologies
(Motion filed 3/28/19)

Docket 1539

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green
Caroline Djang
Scott D Fink
Reed M Mercado

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, April 23, 2019

Hearing Room 225

9:00 AM

6:19-10256 Roberto C Rivera Hernandez

Chapter 7

#1.00

Tiffany & Bosco - movant attorney

Motion for Relief from Stay

Bank of America vs. DEBTOR
(Motion filed 3/28/19)

Re: 2012 TOYOTA COROLLA

Docket 10

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Roberto C Rivera Hernandez

Represented By
Paul Y Lee

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, April 23, 2019

Hearing Room 225

2:00 PM

6:17-20442 Timothy David Murphy

Chapter 7

#1.00

Hrg. on Order to Show Cause Re: Contempt

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

Upon the filing of a chapter 7 petition, a bankruptcy estate is created. The bankruptcy estate generally is comprised of all legal or equitable interests of the debtor in property as of the commencement of the estate. 11 U.S.C. § 541(a)(1). It is black-letter bankruptcy law that the bankruptcy trustee steps into the shoes of the debtor for purposes of asserting or maintaining the debtor's causes of action. *Hill v. Opus Corp.*, 464 B.R. 361 (C.D. Cal. 2011).

Accordingly, bankruptcy trustee Lynda T. Bui has succeeded to the rights (if any) of debtor Timothy D. Murphy ("T.D. Murphy") in any trust, including any right to seek an accounting from any trust. This includes the Shirley S. Murphy Trust, with respect to which movants Mark M. Murphy and Claudia Semplenski ("Movants") are alleged to be trustees.

Mr. Murphy listed two Florida trust litigation cases in his Statement of Financial Affairs: *In re Robert H. Murphy Trust*, Case No. 502013CP001575xxxxNB and *In re Shirley S. Murphy Trust*, Case No. 502013CP005920xxxxNB (the "Florida Litigation"). Movants allege that Mr. Murphy has continued to litigate the Florida Litigation after the filing of his bankruptcy petition on December 21, 2017. In his Opposition to Movant's Motion for Order to Show Cause (the "Motion"), Mr. Murphy states that because trustee Bui showed no interest in obtaining a legally-mandated accounting from the Shirley S. Murphy Trust, he filed an action in Florida on March 25, 2018 to obtain an accounting and to remove Movants as trustees. This action, entitled *Murphy v. Murphy*, appears to bear Case No. 502018CP001557xxxxMB (the

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, April 23, 2019

Hearing Room 225

2:00 PM

CONT... Timothy David Murphy
"Additional Florida Litigation").

Chapter 7

Only trustee Bui has the authority to bring such an action. In bringing the Additional Florida Litigation, Mr. Murphy has exercised control over property of the bankruptcy estate in violation of 11 U.S.C. § 362(a)(3).

The Court will not impose sanctions against Mr. Murphy and will not issue an order to show cause, but instead confirms trustee Bui's plenary power and control over the Florida Litigation and the Additional Florida Litigation. Trustee Bui may seek dismissal of the Additional Florida Litigation if she so chooses (or may elect to pursue the action). Pursuant to 11 U.S.C. § 362(a), the Court orders Mr. Murphy not to take any further action with respect to the Florida Litigation or the Additional Florida Litigation (this expressly includes but is not limited to appearing in such litigation and filing pleadings of any kind) and not to interfere or meddle in any manner or fashion with the Florida Litigation or the Additional Florida Litigation.

The Court grants Movants request for judicial notice.

Party Information

Debtor(s):

Timothy David Murphy

Represented By
Timothy D Murphy
Patricia A Mireles

Trustee(s):

Lynda T. Bui (TR)

Represented By
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 24, 2019

Hearing Room 6C

9:00 AM

8:18-11759 Chester Davenport

Chapter 7

Adv#: 8:18-01193 Basho Technologies Holdco C, LLC et al v. Chester

#1.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Determine Dischargeability Of Debt Under 11 U.S.C. Section 523(a)(4) And Objection To Discharge Under 11 U.S.C. Sections 727(a)(2) And (a)(3) (Complaint filed 10/26/18)

FR: 1-16-19; 1-23-19; 3-27-19

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will issue a scheduling order:

1. All discovery shall close on September 30, 2019.
2. All discovery motions shall be heard before October 31, 2019.
3. All pretrial motions shall be heard before November 30, 2019.
4. Pretrial conference is set for December 11, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Chester Davenport

Represented By
Michael Jay Berger

Defendant(s):

Davenport C. Chester

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 24, 2019

Hearing Room 6C

9:00 AM

CONT... Chester Davenport

Chapter 7

Plaintiff(s):

Basho Technologies Holdco C, LLC Represented By
Bradley Gardner
Randye B Soref

Basho Technologies Holdco E, LLC Represented By
Bradley Gardner
Randye B Soref

Hunoby Enterprises, LLC Represented By
Bradley Gardner
Randye B Soref

Earl P. Galleher III Represented By
Bradley Gardner
Randye B Soref

Basho Technologies Holdco B, LLC Represented By
Randye B Soref
Bradley Gardner

Trustee(s):

Karen S Naylor (TR) Represented By
Kathleen J McCarthy
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, April 24, 2019

Hearing Room 6C

9:00 AM

8:19-10567 **Mohammad Ali Kharazmi**

Chapter 11

#2.00

STATUS CONFERENCE Hearing RE: (1) Status of Chapter 11 Case; And (2) Requiring Report On Status Of Chapter 11 Case (Petition filed 2/19/19)

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER APPROVING STIPULATION BETWEEN DEBTOR AND THE UNITED STATES TRUSTEE TO DISMISS CASE WITH A RE-FILING BAR ENTERED 4-11-19 - (DOCKET NO. [15])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Mohammad Ali Kharazmi

Represented By
Leonard Pena

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 25, 2019

Hearing Room 225

9:00 AM

6:17-16779 Carlitos Vargas

Chapter 7

Adv#: 6:17-01243 Vargas v. United States Department Of Education et al

#1.00

Pre-TrialConference re Complaint by Michelle Vargas against United States Department Of Education, Navient Corporation, Navient Credit Finance Corporation, Navient Solutions, Inc., Education Credit Management Corporation. (Fee Not Required). Complaint to Determine Dischargeability of Student Loans - 11 U.S.C. Section 523(a)(8); Borrower's Defenses Against Repayment - 20 U.S.C. Section 1087e(h); 34 C.F.R. 685.206(c): 1) Fraud, Misrepresentation, Concealment, and False Promises; 2) Fraud, Forgery, and Undue Influence 3) Violation of California Business and Professions Code Sections 17200 et seq; 4) Violation of California Business and Professions Code Sections 17500 et seq; and 5) Discharge of Debt Obtained by Students Whose Eligibility for Federal Student Aid was Falsely Certified by the School - 20 U.S.C. Section 1087; 34 C.F.R. 685.215 Nature of Suit: (63 (Dischargeability - 523(a)(8), student loan)),(02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy)

(Cont. from 3/7/19)

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

This conference is moot in light of the Court's April 11, 2019 ruling granting Defendant's motion for summary judgment.

Party Information

Debtor(s):

Carlitos Vargas

Represented By
Todd L Turoci

Defendant(s):

United States Department Of

Represented By
Elan S Levey

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 25, 2019

Hearing Room 225

9:00 AM

CONT... Carlitos Vargas

Chapter 7

Navient Corporation	Represented By Robert S Lampl
Navient Credit Finance Corporation	Represented By Robert S Lampl
Navient Solutions, Inc.	Represented By Robert S Lampl
Education Credit Management	Pro Se

Joint Debtor(s):

Michelle Vargas	Represented By Todd L Turoci
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Plaintiff(s):

Michelle Vargas	Represented By Todd L Turoci
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Trustee(s):

Todd A. Frealy (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 25, 2019

Hearing Room 225

9:00 AM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

#3.00

Hrg. on Confirmation of Second Amended chapter 11 plan

**(To be held in Courtroom 6C, 411 West Fourth Street, Santa Ana, CA
92701)**

(Cont. from 3/21/19)

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling on the plan confirmation motion at this time.

Motion to Strike Reply of Havasu Lakeshore Investments, LLC

APPEARANCES REQUIRED.

In evaluating a motion to strike an unauthorized pleading, the Court focuses on the elements of surprise and time to respond. The Court also considers whether the unauthorized pleading is useful to the Court in terms of deciding the matter to which the unauthorized pleading is addressed. For example, an unauthorized pleading filed with respect to a motion for relief from the automatic stay that is filed one or two days before the hearing often will be stricken by this Court.

Here, surprise and time to respond are not implicated. The Reply was filed on January 7, 2019. Given that the plan confirmation hearing will take place more than three months after the Reply was filed, it's obvious that surprise is completely absent at this point and also that Mr. Fleming will have the time and opportunity to respond to the

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 25, 2019

Hearing Room 225

9:00 AM

CONT... Terry Lee Fleming, Sr

Chapter 11

Reply at the confirmation hearing.

The Reply is useful and helpful to the Court because it articulates at least some of the reasons why HLI believes the Second Amended Plan cannot be confirmed by this Court.

For these reasons, the motion to strike is denied.

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 25, 2019

Hearing Room 225

9:00 AM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

#3.10

Hrg. on Chapter 11 Status Conference

(cont. from 4/11/19)

Docket 0

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the status conference to August 21, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 25, 2019

Hearing Room 225

9:00 AM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

Adv#: 6:18-01046 Havasu Lakeshore Investments v. Fleming, Sr

#3.20

Status Conference re Complaint to (41) to block debtors discharge; to determine nondischargeability of debt re fraud judgment after jury trial; false pretenses, false representation, actual fraud)),(65 (Dischargeability - other)

(Cont. from 4/18/19)

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the status conference to August 21, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

Defendant(s):

Terry Lee Fleming Sr

Pro Se

Plaintiff(s):

Havasu Lakeshore Investments

Represented By
Frederick M. Reich
Martin A Eliopoulos
Grant G. Teeple

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 25, 2019

Hearing Room 225

9:00 AM

6:17-20442 Timothy David Murphy
Adv#: 6:18-01071 Murphy v. Murphy et al

Chapter 7

#4.00

PRE-TRIAL CONFERENCE re: Complaint to deny discharge under
11 U.S.C. Section 727(a)(4)(A)

(Cont. from 3/14/19)

Docket 31

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the pretrial conference to June 27, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Timothy David Murphy Pro Se

Defendant(s):

Timothy David Murphy Represented By
Timothy D Murphy

Plaintiff(s):

Mark M. Murphy Represented By
Larry D Webb

Trustee(s):

Lynda T. Bui (TR) Represented By
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 25, 2019

Hearing Room 225

9:00 AM

6:18-12269 Christopher Allen Hageman

Chapter 7

Adv#: 6:18-01081 Escontrias v. Hageman et al

#5.00

Hrg. on Plaintiff's Motion filed 2/28/19 For Summary Judgment

Docket 63

Tentative Ruling:

APPEARANCES REQUIRED.

The parents of plaintiff herein Pilar Escontrias ("Plaintiff") subleased a warehouse owned and managed by the Koll Company ("Koll") and used it to store a large amount of household possessions after apparently losing their residence to foreclosure in or around 2008. Plaintiff has alleged that at least some of this stored property (and perhaps all of it) was owned by Plaintiff.

Plaintiff alleges in numbered paragraph 16 of the complaint that "[t]he storage went through eviction in summer 2009 and the Koll Company, acting through their employee [Crystal Hageman, defendant-debtor herein], allegedly disposed of the personal items by donating them to charity." The complaint further alleges in numbered paragraph 17 that "the items were not donated, rather, [Crystal Hageman] had kept them."

These fact are at least somewhat corroborated by a judgment on a jury verdict entered in Riverside Superior Court in case number RIC 10024955 on March 7, 2013. In the underlying case, Plaintiff's parents, Luis and Margarita Escontrias, had sued the Koll Company for converting personal property stored by them with the Koll Company. The jury found by special verdict that the Koll Company had not intentionally and substantially interfered with the property of Luis and Margarita Escontrias and, indeed, had never entered into a written or oral contract with them. Zero damages were awarded to Luis and Margarita Escontrias.

Although the Court has refused to permit defendants Christopher Hageman, Crystal

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 25, 2019

Hearing Room 225

9:00 AM

CONT... Christopher Allen Hageman

Chapter 7

Hageman and Kai Hargis (their son) (collectively, "Defendants") from withdrawing certain admissions deemed to have been made by them, such admissions are not nearly as damaging as the parties apparently believe them to be. In the admissions, Defendants have admitted to have known that the subject property "belonged" to Plaintiff. "Belonged" is in the past tense. All the admission means is that Defendants knew that at sometime in the past, Plaintiff owned the subject property. The admission says nothing about the chain of title and therefore fails to refute or eliminate the possibility that title passed to the KoII Company (or some other party) after "the storage went through eviction in summer 2009" – as alleged in numbered paragraph 16 of Plaintiff's complaint. Nor do the admissions or any other evidence of Plaintiff in this Motion for Summary Judgment (the "Motion") eliminate the possibility that the Koll Company (or such other party) transferred the subject personal property to defendant Crystal Hageman at some point during or after the summer of 2009 and that the sales of such property on the internet were not perfectly proper. Although the admissions establish that Crystal Hageman "cannot produce any evidence corroborating [her] ownership of the items [she] listed for sale on the internet," this is not especially damaging because it is not her burden to prove that she owned the property – it is Plaintiff's burden to prove Plaintiff owned them immediately prior to sale. Nor has Plaintiff eliminated the possibility that title to the subject property passed first to a charity and then from the charity back to Defendants.

For these reasons, the Court determines that genuine issues of material fact exist that preclude the entry of summary judgment in Plaintiff's favor. The Motion is denied with prejudice.

DEFENDANTS TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Christopher Allen Hageman

Represented By
Roland D Tweed

Defendant(s):

Christopher Allen Hageman

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 25, 2019

Hearing Room 225

9:00 AM

CONT... Christopher Allen Hageman

Chapter 7

	Thomas H Brehme
Crystal Dee Hageman	Represented By Thomas H Brehme
Kai Hargis	Pro Se

Joint Debtor(s):

Crystal Dee Hageman	Represented By Roland D Tweed
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Plaintiff(s):

Pilar Escontrias	Represented By Ada R Cordero-Sack
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Trustee(s):

Arturo Cisneros (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 25, 2019

Hearing Room 225

9:00 AM

6:18-12269 Christopher Allen Hageman
Adv#: 6:18-01081 Escontrias v. Hageman et al

Chapter 7

#6.00

Hrg. on Defendants' Motion filed 3/28/19 for Judgment on the pleadings

Docket 79

Tentative Ruling:

APPEARANCES REQUIRED.

The complaint in Count I fails to specifically state what oath or account they made in connection with the main bankruptcy case that was false. Nor does Count I specifically state what income was not disclosed. Although it might be possible for the Court to guess at these items based upon numbered paragraphs 8 through 26 of the complaint, the Court declines to do this and declines to supply detail that should have been supplied by plaintiff.

Thus, the Court treats the motion for judgment on the pleadings as a motion to dismiss on the section 727 cause of action. The Court grants the motion as to Count I (i.e., the section 727 cause of action) with leave of Court to amend within 20 days of the date of entry of the order granting the motion.

The jury in the Riverside County Superior Court action found that Luis and Margarita Escontrias did not have a written or oral contract with the Koll Company. However, the jury made no finding as to whether Plaintiff Pilar Escontrias had a contract with the Koll Company. Therefore, there is no basis for granting the motion for judgment on the pleadings as to the other counts of the complaint.

Grant in part, with leave to amend, and deny in part.

Party Information

Debtor(s):

Christopher Allen Hageman

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 25, 2019

Hearing Room 225

9:00 AM

CONT... Christopher Allen Hageman

Chapter 7

Roland D Tweed

Defendant(s):

Christopher Allen Hageman

Represented By
Thomas H Brehme

Crystal Dee Hageman

Represented By
Thomas H Brehme

Kai Hargis

Pro Se

Joint Debtor(s):

Crystal Dee Hageman

Represented By
Roland D Tweed

Plaintiff(s):

Pilar Escontrias

Represented By
Ada R Cordero-Sack

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 25, 2019

Hearing Room 225

9:00 AM

6:18-12269 Christopher Allen Hageman

Chapter 7

Adv#: 6:18-01081 Escontrias v. Hageman et al

#7.00

Hrg. on Defendants' Motion filed 3/28/19 to Withdraw Deemed Admissions

Docket 81

Tentative Ruling:

APPEARANCES REQUIRED.

Plaintiff Pilar Escontrias ("Plaintiff") served his first set of requests for admission ("RFAs") on defendants Christopher Hageman, Crystal Hageman and Kai Hargis (collectively, "Defendants") on or about September 28, 2018. Defendants' responses were due on or before October 31, 2018 under Federal Rule of Civil Procedure 36, incorporated by Federal Rule of Bankruptcy Procedure 7036. On October 30, 2018, Defendants requested a two week extension for responding to the RFAs. Plaintiff granted the extension, establishing a new due date of November 14, 2018.

November 14, 2018 came and went without any response to the RFAs. Additionally, further thwarting discovery in this matter, Defendants failed to respond to Plaintiff's third attempt to schedule a deposition for Crystal Hageman. Plaintiff's counsel emailed Defendants' counsel on November 16, 2018 inquiring about a response to the RFAs – then overdue, despite the two week extension – and also made a fourth attempt to schedule Crystal Hageman's deposition, for that purpose requesting a firm date for the deposition.

Seventeen days passed following the November 16 email, with no response from Defendants' counsel. Finally, on December 4, 2018, Plaintiff's counsel sent yet another follow up email to Defendants' counsel regarding discovery matters. Counsel stipulated to extend the discovery cutoff on or about December 12, 2018, but Defendants' counsel made no further attempt to obtain an extension of time for responding to the RFAs, nor did Plaintiff's counsel grant such an extension.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 25, 2019

Hearing Room 225

9:00 AM

CONT... Christopher Allen Hageman

Chapter 7

Between December 18 and December 20, 2018, Plaintiff filed separate motions for an order deeming the truth of the matters set forth in the unresponded-to RFAs against each of the three Defendants. The Court held a hearing on January 10, 2019 and by orders filed and entered January 22, 2019 (Docket Nos. 50-52) granted each of the three motions (and declining to grant any monetary sanctions) (the "Deemed Admitted Orders").

Plaintiff filed a motion for summary judgment on February 28, 2019 and set a hearing for April 25, 2019 at 9:00 a.m. Exactly one month after this motion for summary judgment was filed, on March 28, 2019, Defendants filed a motion for judgment on the pleadings and a motion to withdraw the deemed admissions with respect to the RFAs (the "Withdrawal Motion"). The Withdrawal Motion is also set for hearing on April 25, 2019 at 9:00 a.m. and asks the Court to withdraw the deemed admissions that the Court determined to be proper in the Deemed Admitted Orders. Defendants argue withdrawal will aid in the presentation of their case and that there would be no substantial prejudice to Plaintiff by reason of the withdrawal.

These arguments should have been presented to the Court at Plaintiff's motion for an ordering deeming the truth of the RFAs. As a result of the failure to raise those arguments at that time, the Court deems them to have been waived and denies the Withdrawal Motion on that basis.

As a second independent ground for denying the Withdrawal Motion, the Court finds that the Withdrawal Motion is in substance a motion for reconsideration of the Deemed Admitted Orders yet fails to make a sufficient showing that new evidence has been discovered or that the Court made a manifest error of fact or law when it decided the motions leading to the entry of the Deemed Admitted Orders.

As a third independent ground for denying the Withdrawal Motion, the Court finds that Defendants have failed to make a sufficient showing that upholding the deemed admissions would eliminate any need for a presentation on the merits. *Conlon v. United States of America*, 474 F.3d 616 (9th Cir. 2007). Additionally, the Court finds that Plaintiff would in fact be substantially prejudiced if the deemed admissions to the

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 25, 2019

Hearing Room 225

9:00 AM

CONT...

Christopher Allen Hageman

Chapter 7

RFAs are withdrawn. Plaintiff has shown that as a result of the lapse of time that has already occurred, Plaintiff is no longer able to obtain key evidence that Crystal Hageman was selling Plaintiff's property on the internet through crystaltreasures70@gmail.com or crystaltreasures70@yahoo.com (either that or the initial disclosure provided by Crystal Hageman as to this matter was false). Certainly, the elimination of key evidence through lapse of time is substantial prejudice.

Finally, Defendants have not shown good cause for the delay in filing the Withdrawal Motion. The Withdrawal Motion could have been filed as early as mid- to late-November 2018, after the date to timely respond to the RFAs had expired on November 14, 2018. Instead of acting promptly and filing a motion, Defendants waited until March 28, 2019 – over four months, in other words – to file the Withdrawal Motion. In this situation, it was incumbent upon Defendants to show in the Withdrawal Motion that this long delay has not substantially prejudiced Plaintiff in the ability to gather evidence. Defendants have failed to make this showing.

Based upon the foregoing, the Withdrawal Motion is denied with prejudice.

PLAINTIFF TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Christopher Allen Hageman

Represented By
Roland D Tweed

Defendant(s):

Christopher Allen Hageman

Represented By
Thomas H Brehme

Crystal Dee Hageman

Represented By
Thomas H Brehme

Kai Hargis

Pro Se

Joint Debtor(s):

Crystal Dee Hageman

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 25, 2019

Hearing Room 225

9:00 AM

CONT... Christopher Allen Hageman

Chapter 7

Roland D Tweed

Plaintiff(s):

Pilar Escontrias

Represented By
Ada R Cordero-Sack

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 25, 2019

Hearing Room 225

9:00 AM

6:18-17439 Robert Mansour Hamzey, Jr.

Chapter 7

Adv#: 6:19-01029 Express Cash Flow, LLC v. Hamzey, Jr. et al

#8.00

Status Conference re: Complaint to determine dischargeability of debt pursuant to 11 U.S.C. Section 523(a)(2)(A), 523(a)(2)(B); 523(a)(6)

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

Upon the request of the parties in the Joint Status Report, the Court will order this adversary proceeding into mediation.

The parties shall file a mediation stipulation and lodge an order thereon on or before June 15, 2019.

The date of the next status conference is to be determined.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Robert Mansour Hamzey Jr.

Represented By
Daniel C Sever

Defendant(s):

Robert Mansour Hamzey Jr.

Pro Se

Marie Ann Hamzey

Pro Se

Joint Debtor(s):

Marie Ann Hamzey

Represented By
Daniel C Sever

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, April 25, 2019

Hearing Room 225

9:00 AM

CONT... Robert Mansour Hamzey, Jr.

Chapter 7

Plaintiff(s):

Express Cash Flow, LLC

Represented By
R Gibson Pagter Jr.

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Friday, April 26, 2019

Hearing Room 225

9:00 AM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

#1.00

Hrg. on Confirmation of Chapter 11 Plan

Docket 0

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Friday, April 26, 2019

Hearing Room 225

9:00 AM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

#2.00

Hrg. on Confirmation of Second Amended chapter 11 plan

**(To be held in Courtroom 6C, 411 West Fourth Street, Santa Ana, CA
92701)**

(Cont. from 3/21/19)

Docket 0

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

9:00 AM

8:17-13058 Monica Lin Mathers

Chapter 13

#1.00

Motion for relief from stay [Real Property]

JPMorgan Chase Bank, National Association vs. DEBTOR
(Motion filed 4/12/19)

[RE: 426 Emerson Street, Costa Mesa, CA 92627-2112]

Docket 33

***** VACATED *** REASON: CONTINUED TO JUNE 17, 2019 AT 9:00
A.M. PER ORDER APPROVING STIPULATION TO CONTINUE
HEARING ENTERED 5-3-19 - (DOCKET NO. [38])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Monica Lin Mathers

Represented By
Justin D Irish

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

9:00 AM

8:18-14203 Pacific Foods & Distribution, Inc.

Chapter 7

#2.00

Motion for relief from stay [Action In Non-Bankruptcy Forum]

Dwayne Mason vs. DEBTOR
(Motion filed 4/1/19)

**[RE: Case Name: Mason v. Pacific Foods & Distribution, Inc., et al.]
[Docket Number: 30-2018-01028268-CU-PA-CJC]
[Pending In: Superior Court of California of the County of Orange]
[700 Civic Center Drive, Santa Ana, CA 92701]**

Docket 35

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Pacific Foods & Distribution, Inc.

Represented By
Edmond Richard McGuire

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

9:00 AM

8:18-14470 Shahyar Zahedi and Shannon Denise Zahedi

Chapter 7

#3.00

CONT'D Motion for relief from stay [Personal Property]

1st United Services Credit Union, Its Successors And/Or Assignees vs.
DEBTORS

[RE: 2013 Ford Fusion - 3FA6P0G77DR108815]

FR: 4-22-19

Docket 28

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1) only.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Shahyar Zahedi

Represented By
Anerio V Altman

Joint Debtor(s):

Shannon Denise Zahedi

Represented By
Anerio V Altman

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

9:00 AM

8:19-10351 Lucy Ann Carmelita Rojo

Chapter 7

#4.00

Motion for relief from stay [Action In Non-Bankruptcy Forum]

Jami Aiken vs. DEBTOR
(Motion filed 4/2/19)

**[RE: The Action Is Not Filed AT Present Due To The Automatic Stay]
[Movant Will Be Plaintiff]**

Docket 12

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will deny the motion. Because the movant has elected to proceed by way of adversary proceeding in this Court (a complaint having been filed on April 18, 2019), the Court will not permit movant to multiply judicial proceedings against Debtor by initiating a state court action.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Lucy Ann Carmelita Rojo

Represented By
Jeffrey B Smith

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

9:00 AM

8:19-10670 Edgar Sebastian Vazquez and Ligia Vazquez

Chapter 13

#5.00

Motion for relief from stay [Personal Property]

Mechanics Bank, A California Banking Corporation, Successor By Merger To California Republic Bank vs. DEBTORS; And Amrane Cohen, Chapter 13 Trustee
(Motion filed 4/4/19)

[RE: 2014 Honda CR-V - VIN No.: 5J6R M3H7 4EL0 12814]

Docket 17

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Edgar Sebastian Vazquez

Represented By
Christopher J Langley

Joint Debtor(s):

Ligia Vazquez

Represented By
Christopher J Langley

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

9:00 AM

8:19-10885 Frank Uriostegui

Chapter 7

#6.00

Motion for relief from stay [Personal Property]

AmeriCredit Financial Services, Inc., dba GM Financial vs. DEBTOR
(Motion filed 4/4/19)

[RE: 2016 Chevrolet Trax - VIN No.: 3GNCJLSB7GL263729]

Docket 7

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Frank Uriostegui

Represented By
Daniel King

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

9:00 AM

8:14-11729 Richard Clark Farrell

Chapter 7

#7.00

CONT'D Hearing RE: Supplemental Application Of Trustee To Employ Hahn Fife & Company, LLP As Accountants, Or In The Alternative, For Nunc Pro Tunc Employment Of Desmond, Marcello & Amster
(Application filed 6/14/16) (Supplement Application filed 10/3/16)

FR: 10-24-16; 1-9-17; 2-6-17; 6-28-17; 11-13-17; 3-28-18; 5-9-18; 11-14-18;
5-6-19 at 2:00 p.m.

Docket 593

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue all Farrell matters on calendar for May 6, 2019 to July 17, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Movant(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

Trustee(s):

Karen S Naylor (TR)

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

9:00 AM

CONT...

Richard Clark Farrell

Nanette D Sanders
Brian R Nelson
Robert P Goe

Chapter 7

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

9:00 AM

8:14-11729 Richard Clark Farrell

Chapter 7

#8.00

CONT'D Evidentiary Hearing RE: Motion For Turnover Of Post-Petition Value Received By Debtor From C3 Lighting, Inc.
(Motion filed 5/26/16)
(Evidentiary hearing set at hearing held 8/1/16)

FR: 6-20-16; 8-1-16; 9-19-16; 10-24-16; 1-9-17; 2-6-17; 6-28-17; 11-13-17;
3-28-18; 5-9-18; 11-14-18; 11-14-18; 5-6-19 at 2:00 p.m.

Docket 487

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue all Farrell matters on calendar for May 6, 2019 to July 17, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER..

Party Information

Debtor(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Movant(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

Trustee(s):

Karen S Naylor (TR)

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

9:00 AM

CONT...

Richard Clark Farrell

Nanette D Sanders
Brian R Nelson
Robert P Goe

Chapter 7

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

9:00 AM

8:14-11729 Richard Clark Farrell

Chapter 7

#9.00

CONT'D Hearing RE: Motion Of Chapter 7 Trustee To Strike Those Portions Of Debtor's Opposition To Supplemental Application Of Trustee To Employ Hahn Fife & Company, LLP, As Accountants, Or In The Alternative, For Nunc Pro Tunc Employment Of Desmond, Marcello & Amster Which Are In Violation Of The Court's Order Continuing Hearing On Chapter 7 Trustee's Motion For Turnover Of Post-Petition Value Received By Debtor From C3 Lighting, Inc. [Docket No. 581]
(Motion filed 10/17/16)

FR: 10-24-16; 1-9-17; 2-6-17; 6-28-17; 11-13-17; 3-28-18; 5-9-18; 11-14-18; 11-14-18; 5-6-19 at 2:00 p.m.

Docket 611

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue all Farrell matters on calendar for May 6, 2019 to July 17, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Movant(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

9:00 AM

CONT... Richard Clark Farrell

Chapter 7

Robert P Goe

Trustee(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

9:00 AM

8:14-11729 Richard Clark Farrell

Chapter 7

#10.00

CONT'D Hearing RE: Debtor's Motion To Compel Trustee To Return Debtor's Post-Petition Income (Motion filed 7/11/16)

FR: 8-1-16; 11-14-16; 1-9-17; 2-6-17; 6-28-17; 11-13-17; 3-28-18; 5-9-18; 11-14-18; 11-14-18; 5-6-19 at 2:00 p.m.

Docket 510

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue all Farrell matters on calendar for May 6, 2019 to July 17, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Movant(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Trustee(s):

Karen S Naylor (TR)

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

9:00 AM

CONT...

Richard Clark Farrell

Nanette D Sanders
Brian R Nelson
Robert P Goe

Chapter 7

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

9:00 AM

8:14-11729 Richard Clark Farrell

Chapter 7

#11.00

CONT'D Hearing RE: Motion Of Chapter 7 Trustee For An Order Denying Debtor's Claims Of Exemptions - Homestead And Savings/Checking (Motion filed 11/18/16)

FR: 1-9-17; 2-6-17; 3-20-17; 6-28-17; 11-13-17; 3-28-18; 5-9-18; 11-14-18; 11-14-18; 5-6-19 at 2:00 p.m.

Docket 651

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue all Farrell matters on calendar for May 6, 2019 to July 17, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsey
Michael R Adele

Trustee(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

9:00 AM

8:14-11729 Richard Clark Farrell

Chapter 7

Adv#: 8:16-01216 Naylor v. Farrell

#12.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint Objecting To
Discharge Pursuant To 11 U.S.C. Section 727
(Complaint filed 9/30/16)

FR: 12-21-16; 2-6-17; 6-28-17; 11-13-17; 3-28-18; 5-9-18; 11-14-18; 5-9-19 at
2:00 p.m.

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue all Farrell matters on calendar for May 6, 2019 to July 17,
2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsey
Michael R Adele

Defendant(s):

Richard Clark Farrell

Represented By
Michael G Spector

Plaintiff(s):

Karen Sue Naylor

Represented By
Nanette D Sanders
Brian R Nelson

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

9:00 AM

CONT... Richard Clark Farrell

Chapter 7

Trustee(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

9:00 AM

8:14-11729 Richard Clark Farrell

Chapter 7

Adv#: 8:16-01204 Naylor v. Farrell et al

#13.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint:

1. For An Accounting;
2. To Avoid Actual Fraudulent Transfers;
3. To Avoid Constructively Fraudulent Transfers;
4. To Recover Property Fraudulently Transferred;
5. For Turnover Of Property Of The Estate; And,
6. For Equitable Subordination Of The Claim Of Richard E. Farrell
(Complaint filed 9/16/16)

FR: 12-7-16; 5-31-17; 10-4-17; 11-29-17; 3-28-18; 5-2-18; 5-9-18; 11-14-18;
5-6-19 at 2:00 p.m.

Docket 1

***** VACATED *** REASON: CONTINUED TO JULY 17, 2019 AT 9:00
A.M. PER ORDER APPROVING STIPULATION ENTERED 4-17-19 -
(DOCKET NO. [50])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Defendant(s):

Richard C. Farrell	Pro Se
Richard E. Farrell	Pro Se
Irma Farrell	Pro Se
C3 Lighting Solutions, Inc.	Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

9:00 AM

CONT... Richard Clark Farrell

Chapter 7

Plaintiff(s):

Karen Sue Naylor

Represented By
Nanette D Sanders
Brian R Nelson

Trustee(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

9:00 AM

8:15-13556 John Olaf Halvorson

Chapter 7

#14.00

Hearing RE: Chapter 7 Trustee's Motion For Sanctions Against Richard Baek, Baek 153, LLC, Pacific Commercial Group, LLC, Grace Baek, Corey Tolliver And Christopher Coyle For Failure To Participate In Court Ordered Mediation In Good Faith And Actions Thereafter Pursuant to 11 U.S.C. Section 105, Federal Rule Of Bankruptcy Procedure 7016 And Local Bankruptcy Rule 1001-1(f) (Motion filed 2/28/19)

Docket 350

Tentative Ruling:

APPEARANCES NOT REQUIRED.

Based upon the District Court's March 26, 2019 Order Regarding Motion to Enjoin or Stay Sanctions Motions or Withdraw the Reference (ECF 44 in C.D. Cal. No. 8:18-cv-00528-JVS), the Court will take these sanctions motions off calendar and set a status conference in the main bankruptcy case and the 1454 action for December 16, 2019 at 2:00 p.m.

If the Ninth Circuit rules on the corresponding matters before it prior to December 2, 2019, then the parties should so advise this Court promptly in an updated Joint Status Report. If the Ninth Circuit has not ruled on the corresponding matters by December 2, 2019, the parties shall advise this Court of the status of the appeals in an updated Joint Status Report on or before December 3, 2019.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

John Olaf Halvorson

Represented By
Marc C Forsythe
Charity J Manee

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

9:00 AM

CONT... John Olaf Halvorson

Chapter 7

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Reem J Bello
Faye C Rasch
Jeffrey I Golden

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

9:00 AM

8:15-13556 John Olaf Halvorson

Chapter 7

#15.00

Hearing RE: Debtor's Motion For: (1) Sanctions Against Richard Baek, Baek 153, LLC, Pacific Commercial Group, LLC, Grace Baek, And Their Attorneys Of Record, Corey Tolliver, And Christopher Coyle For Failure To Participate In Court Ordered Mediation In Good Faith And Actions Thereafter Pursuant To F.R.C.P. Rule 16 And 11 U.S.C. Section 105; And (2) Order Revoking Pro Hac Vice Admissions Of Attorneys Christopher Coyle And Corey Tolliver (Motion filed 2/28/19)

[Joinder of Dan Halvorson and Jerry Ann Randall to Motion - Docket No. [357]

Docket 351

Tentative Ruling:

APPEARANCES NOT REQUIRED.

Based upon the District Court's March 26, 2019 Order Regarding Motion to Enjoin or Stay Sanctions Motions or Withdraw the Reference (ECF 44 in C.D. Cal. No. 8:18-cv-00528-JVS), the Court will take these sanctions motions off calendar and set a status conference in the main bankruptcy case and the 1454 action for December 16, 2019 at 2:00 p.m.

If the Ninth Circuit rules on the corresponding matters before it prior to December 2, 2019, then the parties should so advise this Court promptly in an updated Joint Status Report. If the Ninth Circuit has not ruled on the corresponding matters by December 2, 2019, then the parties shall advise this Court of the status of the appeals in an updated Joint Status Report on or before December 3, 2019.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

John Olaf Halvorson

Represented By
Marc C Forsythe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

9:00 AM

CONT... John Olaf Halvorson

Chapter 7

Charity J Manee

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Reem J Bello
Faye C Rasch
Jeffrey I Golden

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

9:00 AM

8:15-13556 John Olaf Halvorson

Chapter 7

Adv#: 8:15-01454 Baek v. Halvorson et al

#16.00

Hearing RE: Chapter 7 Trustee's Motion For Sanctions Against Richard Baek, Baek 153, LLC, Pacific Commercial Group, LLC, Grace Baek, Corey Tolliver and Christopher Coyle For Failure To Participate In Court Ordered Mediation In Good Faith And Actions Thereafter Pursuant To 11 U.S.C. Section 105, Federal Rule Of Bankruptcy Procedure 7016 And Local Bankruptcy Rule 1001-1(f) (Motion filed 2/28/19)

[Joinder of Dan Halvorson and Jerry Ann Randall to Motion - Docket No. [467]

Docket 465

Tentative Ruling:

APPEARANCES NOT REQUIRED.

Based upon the District Court's March 26, 2019 Order Regarding Motion to Enjoin or Stay Sanctions Motions or Withdraw the Reference (ECF 44 in C.D. Cal. No. 8:18-cv-00528-JVS), the Court will take these sanctions motions off calendar and set a status conference in the main bankruptcy case and the 1454 action for December 16, 2019 at 2:00 p.m.

If the Ninth Circuit rules on the corresponding matters before it prior to December 2, 2019, then the parties should so advise this Court promptly in an updated Joint Status Report. If the Ninth Circuit has not ruled on the corresponding matters by December 2, 2019, then the parties shall advise this Court of the status of the appeals in an updated Joint Status Report on or before December 3, 2019.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

John Olaf Halvorson

Represented By
Marc C Forsythe
Charity J Manee

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

9:00 AM

CONT... John Olaf Halvorson

Chapter 7

Defendant(s):

John Olaf Halvorson

Represented By
Charity J Manee
Marc C Forsythe

Weneta M.A. Kosmala

Represented By
Reem J Bello

Plaintiff(s):

Grace Baek

Represented By
Ali Matin
Steven J. Katzman
Kyle Kveton

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Reem J Bello
Faye C Rasch
Jeffrey I Golden

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

9:00 AM

8:15-13556 John Olaf Halvorson

Chapter 7

Adv#: 8:15-01454 Baek v. Halvorson et al

#17.00

Hearing RE: Debtor's Motion For: (1) Sanctions Against Richard Baek, Baek 153, LLC, Pacific Commercial Group, LLC, Grace Baek, And Their Attorneys Of Record, Corey Tolliver, And Christopher Coyle For Failure To Participate In Court Ordered Mediation In Good Faith And Actions Thereafter Pursuant To F.R.C.P. Rule 16 And 11 U.S.C. Section 105; And (2) Order Revoking Pro Hac Vice Admissions Of Attorneys Christopher Coyle And Corey Tolliver (Motion filed 2/28/19)

[Joinder of Dan Halvorson and Jerry Ann Randall to Motion - Docket No. [468]

Docket 461

Tentative Ruling:

APPEARANCES NOT REQUIRED.

Based upon the District Court's March 26, 2019 Order Regarding Motion to Enjoin or Stay Sanctions Motions or Withdraw the Reference (ECF 44 in C.D. Cal. No. 8:18-cv-00528-JVS), the Court will take these sanctions motions off calendar and set a status conference in the main bankruptcy case and the 1454 action for December 16, 2019 at 2:00 p.m.

If the Ninth Circuit rules on the corresponding matters before it prior to December 2, 2019, then the parties should so advise this Court promptly in an updated Joint Status Report. If the Ninth Circuit has not ruled on the corresponding matters by December 2, 2019, then the parties shall advise this Court of the status of the appeals in an updated Joint Status Report on or before December 3, 2019.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

John Olaf Halvorson

Represented By
Marc C Forsythe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

9:00 AM

CONT... John Olaf Halvorson

Chapter 7

Charity J Manee

Defendant(s):

John Olaf Halvorson

Represented By
Charity J Manee
Marc C Forsythe

Weneta M.A. Kosmala

Represented By
Reem J Bello

Plaintiff(s):

Grace Baek

Represented By
Ali Matin
Steven J. Katzman
Kyle Kveton

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Reem J Bello
Faye C Rasch
Jeffrey I Golden

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

2:00 PM

8:17-10699 Sen Hieu Phung

Chapter 7

#1.00

Hearing RE: Motion For Order Reclassifying Claims As Late Filed Claims Pursuant To 11 U.S.C. Section 502:
(Motion filed 3/27/2019)

Claim No. 9	Lieu Kim Phung	\$28,632.36
Claim No. 10	Judy Trinh	\$27,300.00
Claim No. 11	Van Duc Phung	\$150,300.00

Docket 88

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue this hearing to May 20, 2019 at 2:00 p.m. so that it may be heard in conjunction with the motion to allow creditors untimely proof of claim.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Sen Hieu Phung

Represented By
Jeffrey J Hagen

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Jeffrey I Golden
Reem J Bello

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

2:00 PM

8:18-14203 Pacific Foods & Distribution, Inc.

Chapter 7

#2.00

Hearing RE: Chapter 7 Trustee's Motion For Authority To Conduct Public Auction For Sale Of Personal Property Of The Estate Pursuant To 11 U.S.C. Section 363(b)
(Motion filed 4/12/19)

Docket 40

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion. City National Bank's lien will attach to the proceeds from the auction of the Remaining Personal Property (as defined in the Trustee's Reply).

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Pacific Foods & Distribution, Inc.

Represented By
Edmond Richard McGuire

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

2:00 PM

8:14-11729 Richard Clark Farrell

Chapter 7

#3.00

CONT'D Hearing RE: Motion Of Chapter 7 Trustee For An Order Denying Debtor's Claims Of Exemptions - Homestead And Savings/Checking (Motion filed 11/18/16)

FR: 1-9-17; 2-6-17; 3-20-17; 6-28-17; 11-13-17; 3-28-18; 5-9-18; 11-14-18

Docket 651

***** VACATED *** REASON: CONTINUED TO MAY 6, 2019 AT 9:00 A.M. PER ORDER CONTINUING HEARINGS ENTERED 11-20-18 - (Docket No. [834])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Trustee(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

2:00 PM

8:14-11729 Richard Clark Farrell

Chapter 7

#4.00

CONT'D Hearing RE: Debtor's Motion To Compel Trustee To Return Debtor's Post-Petition Income (Motion filed 7/11/16)

FR: 8-1-16; 11-14-16; 1-9-17; 2-6-17; 6-28-17; 11-13-17; 3-28-18; 5-9-18; 11-14-18

Docket 510

***** VACATED *** REASON: CONTINUED TO MAY 6, 2019 AT 9:00 A.M. PER ORDER CONTINUING HEARINGS ENTERED 11-20-18 - (Docket No. [834])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Movant(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Trustee(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

2:00 PM

8:14-11729 Richard Clark Farrell

Chapter 7

#5.00

CONT'D Hearing RE: Motion Of Chapter 7 Trustee To Strike Those Portions Of Debtor's Opposition To Supplemental Application Of Trustee To Employ Hahn Fife & Company, LLP, As Accountants, Or In The Alternative, For Nunc Pro Tunc Employment Of Desmond, Marcello & Amster Which Are In Violation Of The Court's Order Continuing Hearing On Chapter 7 Trustee's Motion For Turnover Of Post-Petition Value Received By Debtor From C3 Lighting, Inc. [Docket No. 581]
(Motion filed 10/17/16)

FR: 10-24-16; 1-9-17; 2-6-17; 6-28-17; 11-13-17; 3-28-18; 5-9-18; 11-14-18

Docket 611

***** VACATED *** REASON: CONTINUED TO MAY 6, 2019 AT 9:00
A.M. PER ORDER CONTINUING HEARINGS ENTERED 11-20-18 -
(Docket No. [834])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsey
Michael R Adele

Movant(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

Trustee(s):

Karen S Naylor (TR)

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

2:00 PM

CONT...

Richard Clark Farrell

Nanette D Sanders
Brian R Nelson
Robert P Goe

Chapter 7

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

2:00 PM

8:14-11729 Richard Clark Farrell

Chapter 7

#6.00

CONT'D Evidentiary Hearing RE: Motion For Turnover Of Post-Petition Value Received By Debtor From C3 Lighting, Inc.
(Motion filed 5/26/16)
(Evidentiary hearing set at hearing held 8/1/16)

FR: 6-20-16; 8-1-16; 9-19-16; 10-24-16; 1-9-17; 2-6-17; 6-28-17; 11-13-17;
3-28-18; 5-9-18; 11-14-18

Docket 487

***** VACATED *** REASON: CONTINUED TO MAY 6, 2019 AT 9:00
A.M. PER ORDER CONTINUING HEARINGS ENTERED 11-20-18 -
(Docket No. [834])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Movant(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

Trustee(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

2:00 PM

8:14-11729 Richard Clark Farrell

Chapter 7

#7.00

CONT'D Hearing RE: Supplemental Application Of Trustee To Employ Hahn Fife & Company, LLP As Accountants, Or In The Alternative, For Nunc Pro Tunc Employment Of Desmond, Marcello & Amster
(Application filed 6/14/16) (Supplement Application filed 10/3/16)

FR: 10-24-16; 1-9-17; 2-6-17; 6-28-17; 11-13-17; 3-28-18; 5-9-18; 11-14-18

Docket 593

***** VACATED *** REASON: CONTINUED TO MAY 6, 2019 AT 9:00
A.M. PER ORDER CONTINUING HEARINGS ENTERED 11-20-18 -
(Docket No. [834])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Movant(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

Trustee(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

2:00 PM

8:14-11729 Richard Clark Farrell

Chapter 7

Adv#: 8:16-01204 Naylor v. Farrell et al

#8.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint:

1. For An Accounting;
2. To Avoid Actual Fraudulent Transfers;
3. To Avoid Constructively Fraudulent Transfers;
4. To Recover Property Fraudulently Transferred;
5. For Turnover Of Property Of The Estate; And,
6. For Equitable Subordination Of The Claim Of Richard E. Farrell
(Complaint filed 9/16/16)

FR: 12-7-16; 5-31-17; 10-4-17; 11-29-17; 3-28-18; 5-2-18; 5-9-18; 11-14-18;
5-6-18 at 2:00 p.m.

Docket 1

***** VACATED *** REASON: CONTINUED TO MAY 6, 2019 AT 9:00
A.M. PER SUA SPONTE RESCHEDULING STATUS CONFERENCE
ENTERED 11-28-18 - (Docket No. [47])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Defendant(s):

Richard C. Farrell	Pro Se
Richard E. Farrell	Pro Se
Irma Farrell	Pro Se
C3 Lighting Solutions, Inc.	Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

2:00 PM

CONT... Richard Clark Farrell

Chapter 7

Plaintiff(s):

Karen Sue Naylor

Represented By
Nanette D Sanders
Brian R Nelson

Trustee(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

2:00 PM

8:14-11729 Richard Clark Farrell
Adv#: 8:16-01216 Naylor v. Farrell

Chapter 7

#9.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint Objecting To
Discharge Pursuant To 11 U.S.C. Section 727
(Complaint filed 9/30/16)

FR: 12-21-16; 2-6-17; 6-28-17; 11-13-17; 3-28-18; 5-9-18; 11-14-18

Docket 1

***** VACATED *** REASON: CONTINUED TO MAY 6, 2019 AT 9:00
A.M. PER SUA SPONTE RESCHEDULING STATUS CONFERENCE
ENTERED 11-28-18 - (Docket No. [40])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Defendant(s):

Richard Clark Farrell

Represented By
Michael G Spector

Plaintiff(s):

Karen Sue Naylor

Represented By
Nanette D Sanders
Brian R Nelson

Trustee(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 6, 2019

Hearing Room 6C

2:00 PM

CONT...

Richard Clark Farrell

Brian R Nelson
Robert P Goe

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, May 7, 2019

Hearing Room 225

9:00 AM

6:18-18888 Cesar Coronado and Claudia Patricia Coronado

Chapter 7

#1.00

Law Offices of Austin P. Nagel - movant attorney

Motion for Relief from Stay

Toyota Motor Credit Corporation vs. DEBTOR
(Motion filed 4/10/19)

Re: 2014 Toyota Tacoma

Docket 27

Tentative Ruling:

APPEARANCES REQUIRED.

The larged equity cushion of over \$3,000 shows that the movant is adequately protected. The stay is not in effect as to the Debtors but remains in effect as to the property of the estate, including the 2014 Toyota Tacoma, because there has been no showing that the Trustee abandoned the vehicle or that it has revested in the Debtors.

The Court will deny the motion without prejudice.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Cesar Coronado

Represented By
Daniel King

Joint Debtor(s):

Claudia Patricia Coronado

Represented By
Daniel King

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, May 7, 2019

Hearing Room 225

9:00 AM

CONT... Cesar Coronado and Claudia Patricia Coronado

Chapter 7

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, May 7, 2019

Hearing Room 225

9:00 AM

6:19-10570 Denise Lalanie Scheltens

Chapter 7

#2.00

The Law Offices of Jason C. Tatman, A.P.C. - movant attorney

Motion for Relief from Stay

HSBC Bank USA, National Association vs. DEBTOR
(Motion filed 4/10/19)

Re: 12384 Kasota Court, Moreno Valley, California 92557

Docket 8

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1) only.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Denise Lalanie Scheltens

Represented By
Timothy W Combs

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, May 7, 2019

Hearing Room 225

9:00 AM

6:19-10653 Ross Anthony St. Clair and Ashley Nicole Clark

Chapter 7

#3.00

Prenovost, Normandin, Bergh & Dawe - movant attorney

Motion for Relief from Stay

Yamaha Motor Finance Corp. vs. DEBTORS
(Motion filed 4/15/19)

Re: 2017 Yamaha XVS95CTHR V Star Tourer

Docket 11

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Ross Anthony St. Clair

Represented By
Aaron Lloyd

Joint Debtor(s):

Ashley Nicole Clark

Represented By
Aaron Lloyd

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, May 7, 2019

Hearing Room 225

9:00 AM

6:19-10965 Jeanette Marie Williams

Chapter 7

#4.00

Malcolm Cisneros - movant attorney

Motion for Relief from Stay

Bank of New York Mellon Trust Company N.A. vs. Debtor
(Motion filed 4/16/19)

RE: 8167 Vineyard Avenue #66, Rancho Cucamonga, CA 91730-3394

Docket 13

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Jeanette Marie Williams

Represented By
Brian J Soo-Hoo

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, May 7, 2019

Hearing Room 225

9:00 AM

6:19-11531 Bradford Joseph Acken

Chapter 7

#5.00

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

Motion for Relief from Stay

Santander Consumer USA Inc. vs. DEBTOR, Larry D. Simons, trustee
(Motion filed 4/4/19)

Re: 2015 Dodge Ram 1500, VIN: 3C6JR6DM5FG589164

Docket 15

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Bradford Joseph Acken

Represented By
Benjamin R Heston

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, May 7, 2019

Hearing Room 225

9:00 AM

6:19-11643 Samantha Leigh Moxham

Chapter 7

#6.00

Law Offices of Vincent Frounjian, Esq. - movant attorney

Motion for Relief from Stay

American Honda Finance Corporation vs. DEBTOR, Howard B. Grobstein,
chapter 7 trustee
(Motion filed 4/8/19)

Re: 2018 HONDA ACCORD, VIN: 1HGC V1F9 2JA1 03153

Docket 15

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Samantha Leigh Moxham

Represented By
Jenny L Doling
Summer M Shaw

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, May 7, 2019

Hearing Room 225

9:00 AM

6:19-11778 Karl Baumgartner

Chapter 7

#7.00

Malcolm Cisneros, A Law Corporation - movant attorney

Motion for Relief from Stay

Bank of New York Mellon Trust Company vs. DEBTOR
(Motion filed 4/8/19)

Re: 838 NorthQuince Avenue, Rialto, CA 92376

Docket 10

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Karl Baumgartner

Pro Se

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, May 7, 2019

Hearing Room 225

9:00 AM

6:19-11841 Deland George Lupson, Jr.

Chapter 7

#8.00

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

Motion for Relief from Stay

Americredit Financial Services, Inc. vs. DEBTOR, Charles W. Daff, trustee
(Motion filed 4/11/19)

Re: 2017 Dodge Journey VIN 3C4PDCAB8HT695282

Docket 9

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Deland George Lupson Jr.

Represented By
Daniel King

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, May 7, 2019

Hearing Room 225

9:00 AM

6:19-11931 Lauren Chanel Channel

Chapter 7

#9.00

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

Motion for Relief from Stay

Santander Consumer USA, Inc. vs. DEBTOR, Steven M. Speier, trustee
(Motion filed 4/2/19)

Re: 2015 Nissan Versa, VIN: 3N1CN7AP0FL910314 . (Wang, Jennifer)

Docket 12

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Lauren Chanel Channel

Pro Se

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, May 7, 2019

Hearing Room 225

9:00 AM

6:19-12123 Hugo S. Desiderio and Julie E. Martinez

Chapter 7

#10.00

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

Motion for Relief from Stay

Americredit Financial Services, Inc. vs. DEBTORS, Todd A. Frealy, trustee
(Motion filed 4/5/19)

Re: 2011 Ford Edge, VIN: 2FMDK3JC5BBB29905

Docket 8

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Hugo S. Desiderio

Represented By
Keith Q Nguyen

Joint Debtor(s):

Julie E. Martinez

Represented By
Keith Q Nguyen

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, May 7, 2019

Hearing Room 225

9:00 AM

6:19-12359 Edgar Eleazar Solis and Yuriria Figueroa

Chapter 7

#11.00

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

Motion for Relief from Stay

Honda Lease Trust vs. DEBTORS, John P. Pringle, trustee
(Motion filed 4/15/19)

Re: 2018 HONDA ACCORD, VIN: 1HGC V2F3 2JA0 34160

Docket 7

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Edgar Eleazar Solis

Represented By
Terrence Fantauzzi

Joint Debtor(s):

Yuriria Figueroa

Represented By
Terrence Fantauzzi

Trustee(s):

John P Pringle (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, May 7, 2019

Hearing Room 225

2:00 PM

6:17-15972 Enriquez Q Amezcua

Chapter 7

#1.00

Hrg. on Trustee's Motion filed 4/12/19 Objecting to Debtor's Homestead Exemptions

Docket 89

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will sustain the objection and disallow the homestead exemption in its entirety.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Enriquez Q Amezcua

Pro Se

Trustee(s):

John P Pringle (TR)

Represented By
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, May 7, 2019

Hearing Room 225

2:00 PM

6:17-17842 Daniel Lawrence Cohen

Chapter 7

#2.00

Hrg. on chapter 7 trustee's motion filed 4/3/19 Objecting to Debtor's Claim
Personal Property Exemption

Docket 49

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and disallow the exemption in HD Vest Financial
Services Account No. 5814 in its entirety.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Daniel Lawrence Cohen

Represented By
Robert L Firth

Trustee(s):

John P Pringle (TR)

Represented By
D Edward Hays

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, May 7, 2019

Hearing Room 225

2:00 PM

6:18-13089 Tommy Lawrence Kelly

Chapter 7

#3.00

Hrg. on chapter 7 trustee's Motion filed 4/12/19 to Sell Property of the Estate Free and Clear of Liens under Section 363(f) Chapter 7 Trustees Motion for Order: (1) Approving the Sale of Real Property of the Estate Free and Clear of Certain Liens Pursuant to Bankruptcy Code §§ 363(b)(1) and 363(f), Subject to Overbids, Combined With Notice of Bidding Procedures and Request for Approval of the Bidding Procedures Utilized; (2) Approving Payment of Real Estate Commission and Other Costs; and (3) Granting Related Relief

Docket 36

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion on the terms proposed by Penny Mac's conditional non-opposition, provided, however, that the minimum overbid increment shall be \$5,000 instead of \$1,000.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Tommy Lawrence Kelly

Represented By
Michael E Clark

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, May 7, 2019

Hearing Room 225

2:00 PM

6:18-16636 Littlefield Physical Therapy, Inc.

Chapter 11

#4.00

Hrg. on Debtor's Motion filed 4/16/19 for Order Approving Stipulation for Compromise and Settlement of Claims and Mutual General Releases; and for Dismissal of Case

Docket 75

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Littlefield Physical Therapy, Inc.

Represented By
Evan L Smith

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, May 7, 2019

Hearing Room 225

2:00 PM

6:19-10215 Hassan Mehtar

Chapter 7

#5.00

Hrg. on Hassan Mehtar's motion for extension of time to file a complaint objecting to discharge Motion to Extend Deadline for Movants to File a Complaint for Declaration of Non-Dischargeability of Debts

Docket 30

Tentative Ruling:

APPEARANCES REQUIRED.

Creditors James A. Sanchez, Jr. et al. ("Creditors") move the Court to extend the deadline for them to file a complaint against debtor Hassan Mehtar under Bankruptcy Code section 523 from April 15, 2019 to September 30, 2019 ("Debtor") (the "Motion"). Debtor has filed an opposition to the Motion (the "Opposition"). Creditors have filed a Reply to Debtor's Opposition.

The Court takes judicial notice of the docket in this case. Fed. R. Evid. 201.

The facts here show that Debtor filed a chapter 7 petition on January 11, 2019. The first date set for the section 341(a) examination was February 12, 2019. The examination went forward on that date, and Creditors' attorney questioned the Debtor for approximately 5 to 10 minutes. Declaration of David A. Grabhorn in support of the Reply to Debtor's Opposition to Motion to Extend Deadline to File Complaint for Non-Dischargeability of Debts, Docket No. 36, filed April 30, 2019. The docket shows that the section 341(a) meeting was continued to March 19, 2019 and April 23, 2019. There is no evidence that Creditors' attorney appeared at any of the continued section 341(a) meetings.

The deadline for filing a complaint alleging exception to discharge on the grounds specified in Bankruptcy Code section 523(c) was set at April 15, 2019. Fed. R. Bankr. P. 4007(c). Creditors filed the Motion on April 15, 2019. Thus, the Motion is timely. Fed. R. Bankr. P. 4007(c) ("[t]he motion shall be filed before the time has

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CONT... Hassan Mehtar
expired").

Chapter 7

On January 15, 2019 – a mere four days after the petition was filed -- Creditors moved for relief from the automatic stay on the ground that they wished to proceed in state court in an action pending against the Debtor. The Court granted that motion by order filed and entered February 15, 2019. This action is set for a jury trial to commence on June 7, 2019. Declaration of David A. Grabhorn in support of the Motion.

Creditors do not dispute that they received notice of the commencement of the bankruptcy case, the date of the section 341(a) meeting and the deadline for commencing a section 523 action against Debtor.

Federal Rule of Bankruptcy Procedure 4007(c) permits the Court to extend the deadline for filing a section 523 complaint "for cause." This Rule does not define the term "for cause." Bankruptcy Courts have, however, interpreted the "for cause" requirement and have indicated that the determination of "cause" rests within the Court's discretion. *In re Nowinski*, 291 B.R. 302, 305 (Bankr. S.D.N.Y. 2003); *In re Gotay*, No. 05-12118 (ALG), 2005 Bankr. LEXIS 3479 (Bankr. S.D.N.Y., Aug. 30, 2005). "Cause" is narrowly construed to promote the prompt resolution of the case and the implementation of a debtor's "fresh start." *In re Garner*, 339 B.R. 610, 611 (Bankr. W.D. Tex. 2006) (grounds for the requested extension must be "compelling"); *In re Nowinski, supra*, 291 B.R. at 305.

Courts have found the following factors to be relevant to a determination of "cause": (1) whether the creditor had sufficient notice of the deadline and the information to file an objection; (2) the complexity of the case; (3) whether the creditor exercised diligence; (4) whether the debtor refused in bad faith to cooperate with the creditor; and (5) the possibility that proceedings pending in another forum will result in collateral estoppel on the relevant issues. *In re Boltz-Rubinstein*, 454 B.R. 614, 620 (Bankr. E.D. Pa. 2011); *In re Nowinski, supra*, 291 B.R. at 305.

Other factors occasionally mentioned by the courts are whether granting the delay will

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Chapter 7

prejudice the debtor and the length of the delay and its impact on efficient judicial administration. *In re Boltz-Rubinstein, supra*, 454 B.R. at 620.

Here, Creditors have not disputed that they had sufficient notice of the deadline. Creditors promptly filed a motion for relief from the automatic stay four days after this case's commencement and obtained such relief slightly more than one month after the petition was filed. This action shows that Creditors quickly learned that the Debtor had filed a bankruptcy petition and had bankruptcy counsel. As to information necessary to file a section 523 complaint, the Court infers from the fact that a jury trial in state court is only weeks away that Creditors possess all or substantially all the information they need to commence a section 523 action against Debtor in this Court. In the Reply, Creditors state that "[u]ntil the [state court] trial is completed [Creditors] will not know for certain whether they have grounds to file a non-dischargeability adversary complaint against Debtor." Creditors undoubtedly made allegations against Debtor in the state court complaint (Creditors allege Debtor is a defendant in that action), and if they made them in that Court, they can make them in this Court if in their determination a case for exception to discharge can be made out. There is no rule that a claim be liquidated before a section 523 complaint can be filed. Creditors' argument that they are worried about Rule 11 sanctions as a result of filing the section 523 complaint before the state court action is concluded is a red herring. This factor favors Debtor.

Creditors assert that the state court action is complex. Declaration of David Grabhorn in support of the Motion. Creditors project a 10-day jury trial in state court, which this Court accepts as evidence of complexity. This factor favors Creditors.

Creditors did not exercise diligence. Generally, exercising diligence entails attending the section 341(a) meeting of creditors and seeking an order to examine or obtain documents from the debtor pursuant to Federal Rule of Bankruptcy Procedure 2004. *In re Mendelsohn*, 202 B.R. 831 (Bankr. S.D.N.Y. 1996); *In re Farhid*, 171 B.R. 94, 97 (N.D. Cal. 1994). The docket in this case affirmatively shows that Creditors did not move the Court to order a 2004 exam.

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Chapter 7

No evidence has been presented to the Court by Creditors that Debtor refused in bad faith to cooperate with them. This factor favors Debtor.

Finally, although it has been alleged that collateral estoppel will arise as a result of the state court action with respect to the relevant issues in Creditors' intended section 523 action in this Court, Declaration of David A. Grabhorn in support of the Motion, this is not stated as Creditors' knowledge, only their belief – which is not further supported by any evidence that would lead the Court to conclude that such belief is justified and true and something more than Creditors' speculation and hope. Creditors have not made a sufficient showing that this factor tilts in their favor.

Creditors mention the "prejudice to the debtor" factor in the Motion but do not argue the point nor introduce any evidence on the subject in the Declaration of David Grabhorn. Debtor argues he most definitely will suffer prejudice if the Motion is granted: "An extension of time will only delay this simple bankruptcy case and prevent the DEBTOR from obtaining his fresh start, which is contrary to the goals of the bankruptcy code. Not to mention that, DEBTOR will have to suffer emotional distress every day, until September 30, 2019 and possibly longer, worrying whether MOVANTS will decide to file a nondischargeability complaint." Opposition at 3. Delay of a fresh start has been determined to be prejudicial to the debtor in the context of the 60-day deadline imposed by related Bankruptcy Rule 4007(c). *Cartage Pac. v. Waldner (In re Waldner)*, 183 B.R. 879, 881 (B.A.P. 9th Cir. 1995) (related Rule 4007(c)'s 60-day limitation's purpose is to further fresh start goal of bankruptcy relief); *see also Marino v. Classic Auto Refinishing, Inc. (In re Marino)*, 213 B.R. 846, 854 (B.A.P. 9th Cir. 1997) ("The purpose of Fed. R. Bankr. P. 4007(c) is to 'further the prompt administration of bankruptcy estates . . . and to further fresh start goals by allowing the debtor to enjoy finality and certainty of relief from financial distress as quickly as possible"); *In re Santos*, 112 B.R. 1001, 1006 (B.A.P. 9th Cir. 1990). The Court determines that this factor is in Debtor's favor.

The length of the delay is not inordinate, and the Court finds no significant impact on judicial administration. The factor favors Creditors.

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Chapter 7

In conclusion, four of the seven factors straightforwardly weigh against Creditors. The second of the five factors – complexity – is in Creditors' favor. Creditors have not made a sufficient showing that the fifth factor is in their favor, and for that reason the Court places this factor in Debtor's camp. The seventh factor – impact on judicial administration – is in Creditors' favor. In summary, five factors favor Debtor and two factors favor Creditors. Although the Court does not believe the outcome of this matter should be determined on purely mathematical grounds (i.e., five to two), the Court cannot conclude that the two factors favoring Creditors are of such overarching importance that they should be weighted more heavily than any of the factors favoring Debtor.

On this basis, the Court determines that "cause" does not exist that would permit the Court to grant the Motion. The Motion is denied with prejudice.

Party Information

Debtor(s):

Hassan Mehtar

Represented By
Sunil A Brahmhatt

Trustee(s):

Lynda T. Bui (TR)

Pro Se

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6:19-10456 RFS Sports, Inc.

Chapter 11

#6.00

Hrg. on Debtor's application for Authority to Employ Appellate Counsel For State Court Appeal

Docket 48

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will deny the application as moot in view of the dismissal of the chapter 11 case.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

RFS Sports, Inc.

Represented By
Lane K Bogard

**United States Bankruptcy Court
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Tuesday, May 7, 2019

Hearing Room 225

2:00 PM

6:19-10456 RFS Sports, Inc.

Chapter 11

#7.00

Hrg. on creditor, Pao Sheng Yang's Motion filed 4/2/19 to Dismiss the Chapter 11 Bankruptcy case of RFS Sports, Inc. and Field sport, Inc. pursuant to 11 U.S.C. Section 1112(b)

Docket 69

Tentative Ruling:

APPEARANCES REQUIRED.

One of the purposes of bankruptcy is to create a level playing field among the creditors of a financially-troubled person or entity and to ensure equality of distribution after taking into account the secured, priority or general unsecured status of such creditors. If Pao Sheng Yang were the only creditor in these cases (or if other creditors only held *de minimis* claims), the Court undoubtedly would dismiss these cases with prejudice pursuant to 11 U.S.C. § 349. However, the presence of other significant creditors argues in favor of a dismissal without a bar, so that the claims of all creditors, and not merely Mr. Yang, can have their rights against these corporate debtors protected.

The Court will not impose a bar to the refileing of chapter 11 cases.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

RFS Sports, Inc.

Represented By
Lane K Bogard

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Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, May 7, 2019

Hearing Room 225

2:00 PM

6:19-10781 Yongming Sui

Chapter 11

#8.00

Hrg. on creditor, Pao Sheng Yang's Motion filed 4/24/19 to Convert Case From Chapter 11 to 7

Docket 31

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and convert the case to Chapter 7 for the reasons stated by the U.S. Trustee in the Trustee's concurrent motion.

UNITED STATES TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Yongming Sui

Represented By
Michael A Cisneros

**United States Bankruptcy Court
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Tuesday, May 7, 2019

Hearing Room 225

2:00 PM

6:19-10781 Yongming Sui

Chapter 11

#9.00

Hrg. on Chapter 11 Status Conference

(Cont. from 4/18/19)

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire whether Mr. Sui was fully compliant with the U.S. Trustee guidelines and requirements as of May 3, 2019.

The date of the next status conference is to be determined.

Party Information

Debtor(s):

Yongming Sui

Represented By
Javier H Castillo

**United States Bankruptcy Court
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Tuesday, May 7, 2019

Hearing Room 225

2:00 PM

6:19-10781 Yongming Sui

Chapter 11

#10.00

Hrg. on U.S. Trustee's Motion filed 4/24/19 to Dismiss or Convert Bankruptcy case pursuant to 11 U.S.C. §1112(b) & Local Bankruptcy Rule 2015-2

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and convert the case to Chapter 7 for the reasons stated by the U.S. Trustee.

UNITED STATES TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS

Party Information

Debtor(s):

Yongming Sui

Represented By
Michael A Cisneros

**United States Bankruptcy Court
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Tuesday, May 7, 2019

Hearing Room 225

2:00 PM

6:18-18403 Eddie R. Vega

Chapter 7

#11.00

Hrg. on chapter 7 trustee's Motion for an order directing the Debtor to turn over property of the estate

Docket 0

***** VACATED *** REASON: Motion withdrawn on 4/25/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Eddie R. Vega

Represented By
Daniel King

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
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Courtroom 6C Calendar**

Wednesday, May 8, 2019

Hearing Room 6C

9:00 AM

6:16-19764 Wayne Earl Parker and Kristine Marie Parker

Chapter 7

#1.00

Hrg. on Order to Show Cause why Timothy L. McCandless Should not be held in contempt of court pursuant to 11 U.S.C. §105 and Federal Rules of Bankruptcy Procedure 9020

(Cont. from 3/13/19)

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into the U.S. Trustee's views in the matter in view of Mr. McCandless's declaration that he tried but failed to locate Debtors (one of whom has died) and then made an effort to deliver the \$765 disgorgement payment to the deceased Debtor's sister or sister-in-law.

Party Information

Debtor(s):

Wayne Earl Parker

Represented By
Timothy L McCandless

Joint Debtor(s):

Kristine Marie Parker

Represented By
Timothy L McCandless

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
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Courtroom 6C Calendar**

Wednesday, May 8, 2019

Hearing Room 6C

9:00 AM

8:17-10265 Ralph E Sanders

Chapter 7

Adv#: 8:17-01068 Pette v. Sanders

#2.00

Hearing RE: Motion For Judgment On The Pleadings
(Motion filed 4/5/19)

Docket 49

***** VACATED *** REASON: OFF CALENDAR - ORDER DENYING
MOTION FOR JUDGMENT ON THE PLEADINGS ENTERED 4-17-19
(DOCKET NO. [60])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Ralph E Sanders	Pro Se
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Defendant(s):

Ralph E Sanders	Pro Se
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Plaintiff(s):

Larnita Pette	Pro Se
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Trustee(s):

Weneta M Kosmala (TR)	Pro Se
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Wednesday, May 8, 2019

Hearing Room 6C

9:00 AM

8:18-10013 Fred Asafu-Adjaye and Esther Asafu-Adjaye

Chapter 11

#3.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 1/3/18)

FR: 3-7-18, 7-11-18; 10-24-18;11-14-18; 12-12-18

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into (1) compliance with U.S. Trustee guidelines and requirements and (2) whether Debtors expect objections to the disclosure statement.

Next status conference: June 19, 2019 at 2:00 p.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Fred Asafu-Adjaye

Represented By
Kevin Tang

Joint Debtor(s):

Esther Asafu-Adjaye

Represented By
Kevin Tang

**United States Bankruptcy Court
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Santa Ana
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Wednesday, May 8, 2019

Hearing Room 6C

9:00 AM

8:18-10203 Phillip Barry Greer

Chapter 7

Adv#: 8:18-01069 Marshack et al v. Biden

#4.00

CONT'D Hearing RE: Motion Of Plaintiff Chriss W. Street For Order Consolidating Adversary Proceedings For All Purposes, Including Trial (Motion filed 10/25/18)

[RE: Case 8:18-ap-01069-MW with 8:18-ap-01075-MW]

FR: 12-19-18; 1-23-19; 2-20-19

Docket 20

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF WITHDRAWAL OF MOTION FILED 4-22-19 - (DOCKET NO. [60])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Phillip Barry Greer

Pro Se

Defendant(s):

Arlene C Biden

Represented By
Phillip Greer

Plaintiff(s):

Richard A Marshack

Represented By
Ryan D ODea

Chriss W. Street

Represented By
Timothy C Aires

Trustee(s):

Richard A Marshack (TR)

Represented By
James C Bastian Jr
Ryan D ODea

**United States Bankruptcy Court
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Wednesday, May 8, 2019

Hearing Room 6C

9:00 AM

CONT... Phillip Barry Greer

Chapter 7

**United States Bankruptcy Court
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Wednesday, May 8, 2019

Hearing Room 6C

9:00 AM

8:18-10203 Phillip Barry Greer

Chapter 7

Adv#: 8:18-01069 Marshack et al v. Biden

#5.00

CONT'D STATUS CONFERENCE Hearing RE: Chapter 7 Trustee's Second Amended Complaint For:

- (1) Avoidance And Recovery Of Fraudulent Transfer;
 - (2) Constructive Trust;
 - (3) Declaratory Relief;
 - (4) Turnover Of Estate Property; And
 - (5) Authorization To Sell Entirety Of Real Property
- Regarding Real Property Located At 19 Bridgeport Road, Newport Coast, California
(First Amended Complaint filed 12/14/18)
(Second Amended Complaint filed 4/10/19)

FR: 1-23-19; 2-20-19

Docket 27

***** VACATED *** REASON: CONTINUED TO JUNE 10, 2019 AT 10:00 A.M. PER ANOTHER SUMMONS ISSUED ON 4-11-19 - (DOCKET NO. [56])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Phillip Barry Greer

Pro Se

Defendant(s):

Arlene C Biden

Represented By
Phillip Greer

Plaintiff(s):

Chriss W. Street

Represented By
Timothy C Aires

**United States Bankruptcy Court
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9:00 AM

CONT... Phillip Barry Greer
Richard A Marshack

Represented By
Ryan D ODea

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Represented By
James C Bastian Jr
Ryan D ODea

**United States Bankruptcy Court
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Wednesday, May 8, 2019

Hearing Room 6C

9:00 AM

8:18-10203 Phillip Barry Greer

Chapter 7

Adv#: 8:18-01075 Street v. Greer et al

#6.00

CONT'D Hearing RE: Motion Of Plaintiff Chriss W. Street For Order Consolidating Adversary Proceedings For All Purposes, Including Trial (Motion filed 10/25/18)

[RE: Case 8:18-ap-01069-MW with 8:18-ap-01075-MW]

FR: 2-20-19

Docket 57

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF WITHDRAWAL OF MOTION FILED 4-22-19 - (DOCKET NO. [89])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Phillip Barry Greer

Pro Se

Defendant(s):

Phillip Barry Greer

Represented By
Phillip Greer

Richard A. Marshack

Represented By
Ryan D ODea

Plaintiff(s):

Chriss W. Street

Represented By
Timothy C Aires

Trustee(s):

Richard A Marshack (TR)

Represented By
James C Bastian Jr
Ryan D ODea

**United States Bankruptcy Court
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9:00 AM

CONT... Phillip Barry Greer

Chapter 7

**United States Bankruptcy Court
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Wednesday, May 8, 2019

Hearing Room 6C

9:00 AM

8:18-12541 Scott Lawrence Chappell

Chapter 7

Adv#: 8:18-01174 Chappell et al v. Chappell et al

#7.00

CONT'D STATUS CONFERENCE Hearing RE: Adversary Complaint To:
1. Determine Non-Dischargeability Of Debt Pursuant To Section 523(a)(2), and (a)(6);
2. Objection To Discharge Pursuant to 11 U.S.C. Section 727(a)(2) and (a)(4) (Complaint filed 9/12/18)

FR: 12-12-18

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court continued the status conference to give plaintiffs and defendants an opportunity to mediate their dispute. They mediated on April 8, 2019 and reached a settlement. The chapter 7 Trustee filed a notice that he opposes the settlement.

The Court will continue the status conference to September 18, 2019 at 9:00 a.m. to give the parties an opportunity to notice a motion to approve the settlement and the give the chapter 7 Trustee an opportunity to file a brief opposing the proposed settlement.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Scott Lawrence Chappell

Represented By
Stephen E Olear

Defendant(s):

Alicia Woolsey

Pro Se

**United States Bankruptcy Court
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Santa Ana
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Wednesday, May 8, 2019

Hearing Room 6C

9:00 AM

CONT... Scott Lawrence Chappell

Chapter 7

Scott Lawrence Chappell

Pro Se

Joint Debtor(s):

Alicia Woolsey

Represented By
Stephen E Olear

Plaintiff(s):

Russell Chappell

Represented By
Stephen A Madoni

William Chappell

Represented By
Stephen A Madoni

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
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Santa Ana
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Wednesday, May 8, 2019

Hearing Room 6C

10:00 AM

8:19-10448 Carlos Betancourt and Yvonne Betancourt

Chapter 7

#1.00

Hearing RE: Reaffirmation Agreement Between Debtor And Toyota Motor Credit Corporation
(Motion filed 3/19/19)

**[RE: 2012 Toyota Scion XB - Amount: \$3,897.75]
[VIN No.: JTLZE4FE7CJ012961]**

Docket 10

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

Party Information

Debtor(s):

Carlos Betancourt

Represented By
Tina H Trinh

Joint Debtor(s):

Yvonne Betancourt

Represented By
Tina H Trinh

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
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Judge Mark Wallace, Presiding
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Wednesday, May 8, 2019

Hearing Room 6C

10:00 AM

8:19-10869 Geraldine Grace Miller

Chapter 7

#2.00

Hearing RE: Reaffirmation Agreement Between Debtor And First Investors
Services Corporation
(Motion filed 4/9/19)

[RE: 2018 Kia Sportage - Amount: \$23,243.09]
[VIN No.: KNDPM3AC3J7339681]

Docket 12

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

Party Information

Debtor(s):

Geraldine Grace Miller

Pro Se

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
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Wednesday, May 8, 2019

Hearing Room 6C

2:00 PM

8:18-13760 Juana Pierda Mondragon

Chapter 13

#1.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 4-10-19

Docket 80

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Juana Pierda Mondragon

Represented By
Bryn C Deb

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
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Wednesday, May 8, 2019

Hearing Room 6C

2:00 PM

8:18-14611 Deena Cousar Brown

Chapter 13

#2.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 2-6-19

Docket 19

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Deena Cousar Brown

Represented By
Brad Weil

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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Wednesday, May 8, 2019

Hearing Room 6C

2:00 PM

8:18-14679 Virginia Ann Von Schaefer

Chapter 13

#3.00

CONT'D Hearing RE: Confirmaiton Of Chapter 13 Plan

FR: 3-13-19; 4-10-19

Docket 30

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Virginia Ann Von Schaefer

Represented By
Omero Banuelos

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
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Santa Ana
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Wednesday, May 8, 2019

Hearing Room 6C

2:00 PM

8:19-10181 Michael Leelin

Chapter 13

#4.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 3-13-19; 4-10-19

Docket 2

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Leelin

Represented By
Julie J Villalobos

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
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Santa Ana
Judge Mark Wallace, Presiding
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Hearing Room 6C

2:00 PM

8:19-10479 Gabriela Desiree Lopez

Chapter 13

#5.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 17

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Gabriela Desiree Lopez

Represented By
Bryn C Deb

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
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Wednesday, May 8, 2019

Hearing Room 6C

2:00 PM

8:19-10528 Madonna L Gionta

Chapter 13

#6.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 17

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Madonna L Gionta

Represented By
Christopher J Langley

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, May 8, 2019

Hearing Room 6C

2:00 PM

8:19-10578 John Wesley Wilson and Monnette Shiree Wilson

Chapter 13

#7.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 2

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

John Wesley Wilson

Represented By
Christopher J Langley

Joint Debtor(s):

Monnette Shiree Wilson

Represented By
Christopher J Langley

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, May 8, 2019

Hearing Room 6C

2:00 PM

8:19-10670 Edgar Sebastian Vazquez and Ligia Vazquez

Chapter 13

#8.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 2

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Edgar Sebastian Vazquez

Represented By
Christopher J Langley

Joint Debtor(s):

Ligia Vazquez

Represented By
Christopher J Langley

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, May 8, 2019

Hearing Room 6C

2:00 PM

8:19-10692 Naveed K Fazli

Chapter 13

#9.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Naveed K Fazli

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, May 8, 2019

Hearing Room 6C

2:00 PM

8:19-10738 Alfredo Alvarado

Chapter 13

#10.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 20

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Alfredo Alvarado

Represented By
Norma Duenas

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, May 8, 2019

Hearing Room 6C

2:00 PM

8:19-10788 Eric Kennedy

Chapter 13

#11.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 18

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Eric Kennedy

Represented By
Andrew Nguyen

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar

Wednesday, May 8, 2019

Hearing Room 6C

2:00 PM

8:19-10435 Elisa Herrera

Chapter 13

#12.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 9

*** VACATED *** REASON: OFF CALENDAR - DEBTOR'S NOTICE
OF CONVERSION OF BANKRUPTCY CASE FROM CHAPTER 13 TO
CHAPTER 7 FILED 3-19-19 - (DOCKET NO. [13])

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Elisa Herrera

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, May 8, 2019

Hearing Room 6C

2:00 PM

8:19-10512 Gina Nascimento Flores

Chapter 13

#13.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 11

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL ARISING FROM DEBTOR'S REQUEST FOR
VOLUNTARY DISMISSAL ENTERED 3-20-19 - (DOCKET NO. [17])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Gina Nascimento Flores

Represented By
Linda Rose Fessler

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, May 8, 2019

Hearing Room 6C

2:00 PM

8:19-10772 Wendy Christine DeMeo

Chapter 13

#14.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL FOR FAILURE TO FILE SCHEDULES, STATEMENTS,
AND/OR PLAN ENTERED 3-22-19 - (DOCKET NO. [10])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Wendy Christine DeMeo

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, May 8, 2019

Hearing Room 6C

2:00 PM

8:19-10570 Ernesto Montalvo

Chapter 13

#15.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: OFF CALENDAR - ORDER AND OF
DISMISSAL ARISING FROM DEBTOR'S REQUEST FOR VOLUNTARY
DISMISSAL ENTERED 3-8-19 - (DOCKET NO. [9])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Ernesto Montalvo

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, May 8, 2019

Hearing Room 6C

3:00 PM

8:16-13819 Joan Ellen Yates

Chapter 13

#1.00

CONT'D Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding For Failure To Make Plan Payments [11 U.S.C. 1307(c)]
(Motion filed 2/6/19)
(Opposition filed 2/15/19)
(Set per Notice of Hearing filed 2/15/19)

FR: 3-13-19; 4-10-19

Docket 65

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and dismiss the case.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Joan Ellen Yates

Represented By
Allan S Williams

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, May 8, 2019

Hearing Room 6C

3:00 PM

8:17-10047 Ronald Robert Deak and Aida Rosario Ganddini

Chapter 13

#2.00

Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding For Failure To Make Plan Payments [11 U.S.C. 1307(c)]
(Motion filed 2/6/19)
(Opposition filed 3/6/19)
(Notice of Hearing filed 3/6/19)

Docket 46

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and dismiss the case.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Ronald Robert Deak

Represented By
Thomas E Brownfield

Joint Debtor(s):

Aida Rosario Ganddini

Represented By
Thomas E Brownfield

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, May 8, 2019

Hearing Room 6C

3:00 PM

8:18-11621 Christine K Roberts

Chapter 13

#3.00

CONT'D Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding For Failure To Make Plan Payments [11 U.S.C. 1307(c)]
(Motion filed 2/16/19)
(Opposition filed 2/28/19)

FR: 4-10-19

Docket 75

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and dismiss the case.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS

Party Information

Debtor(s):

Christine K Roberts

Represented By
Bruce D White

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, May 8, 2019

Hearing Room 6C

3:00 PM

8:18-13760 Juana Pierda Mondragon

Chapter 13

#4.00

Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding For Failure To Make Plan Payments [11 U.S.C. 1307(c)]
(Motion filed 2/6/19)
(Opposition filed 3/19/19)
(Set per Notice of Hearing filed 3/19/19)

Docket 62

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF
WITHDRAWAL OF TRUSTEE'S MOTION FILED 4-25-19 - (DOCKET
NO. [86])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Juana Pierda Mondragon

Represented By
Bryn C Deb

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, May 8, 2019

Hearing Room 6C

3:00 PM

8:16-10248 Ronny Dennis Morgan

Chapter 13

#5.00

Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding For Failure To Make Plan Payments [11 U.S.C. 1307(c)] (Motion filed 4/5/19) (Set per Notice of Hearing and Opposition filed 4/18/19)

Docket 114

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and dismiss the case.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Ronny Dennis Morgan

Represented By
Matthew D. Resnik

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Friday, May 10, 2019

Hearing Room 6C

9:00 AM

6:18-10094 Deontay Daymont Potter and Joy Shaun Potter

Chapter 11

#1.00

Evidentiary Hrg. re Operation re Objection to Claim No. 25 filed by Claimant Environmental Chemical & Consulting, Inc.

(Per order entered 4/17/19)

Docket 0

Party Information

Debtor(s):

Deontay Daymont Potter

Represented By
M. Jonathan Hayes

Joint Debtor(s):

Joy Shaun Potter

Represented By
M. Jonathan Hayes

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, May 16, 2019

Hearing Room 225

9:00 AM

6:16-15248 Murray Altman

Chapter 11

Adv#: 6:18-01121 Altman v. Shin

#1.00

PRE-TRIAL CONFERENCE re: Complaint by Murray Altman against Yun Hei Shin. (Charge To Estate). Nature of Suit: (12 (Recovery of money/property - 547 preference)),(14 (Recovery of money/property - other))

(Cont from 3/12/19)

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will approve the stipulation and continue the pretrial conference to a date to be determined.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

Defendant(s):

Yun Hei Shin

Represented By
Kathleen P March

Plaintiff(s):

Murray Altman

Represented By
Andrew S Bisom

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, May 16, 2019

Hearing Room 225

9:00 AM

6:16-20446 BioData Medical Laboratories, Inc.

Chapter 7

Adv#: 6:18-01119 Todd A. Frealy, Chapter 7 Trustee of the Bankruptc v. Uomoto et al

#2.00

STATUS CONFERENCE re: Complaint by Todd A. Frealy, Chapter 7 Trustee of the Bankruptcy Estate of BioData Medical Laboratories, Inc. against Akemi Uomoto, Henry Wallach. (Charge To Estate \$350). (Attachments: # 1 Adversary Cover Sheet) Nature of Suit: (14 (Recovery of money/property - other))

(Cont. from 3/14/19)

Docket 0

***** VACATED *** REASON: Cont. to 7/18/19 @ 9:00 a.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

BioData Medical Laboratories, Inc.

Represented By
Robert M Yaspan
Joseph N Darweesh

Defendant(s):

Henry Wallach

Represented By
Zev Shechtman

Akemi Uomoto

Represented By
Zev Shechtman

Plaintiff(s):

Todd A. Frealy, Chapter 7 Trustee of

Represented By
Kurt Ramlo
Juliet Y Oh
Eve H Karasik
Todd A Frealy

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, May 16, 2019

Hearing Room 225

9:00 AM

CONT... BioData Medical Laboratories, Inc.

Chapter 7

Trustee(s):

Todd A. Frealy (TR)

Represented By
Eve H Karasik
Jeffrey S Kwong
Juliet Y Oh
Carmela Pagay

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, May 16, 2019

Hearing Room 225

10:00 AM

6:19-11469 Mario Augusto Hernandez

Chapter 7

#1.00

Hrg. on Approval of Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation, in the amount of \$4,882.45

Re: 2007 Toyota Camry Solara

Docket 11

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the reaffirmation agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Mario Augusto Hernandez

Represented By
Michael H Colmenares

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, May 16, 2019

Hearing Room 225

10:00 AM

6:19-12118 Trishelle Antoine

Chapter 7

#2.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and Santander Consumer USA Inc., in the amount of \$16,778.78

Docket 7

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the reaffirmation agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Trishelle Antoine

Pro Se

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, May 16, 2019

Hearing Room 225

2:00 PM

6:16-20446 BioData Medical Laboratories, Inc.

Chapter 7

#1.00

Status Conference Hrg. on Chapter 7 Trustee's Motion filed 6/18/18 for entry of order authorizing payment of post-petition payroll taxes of the estate

(Cont. from 3/14/19)

Docket 548

***** VACATED *** REASON: Cont. to 7/18/19 @ 9:00 a.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

BioData Medical Laboratories, Inc.

Represented By
Robert M Yaspan
Joseph N Darweesh

Trustee(s):

Todd A. Frealy (TR)

Represented By
Eve H Karasik
Jeffrey S Kwong
Juliet Y Oh
Carmela Pagay

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 20, 2019

Hearing Room 6C

9:00 AM

8:18-14648 Stephen Lawrie

Chapter 13

#1.00

CONT'D Motion for relief from [Real Property]

U.S. Bank Trust, N.A., As Trustee For LSF9 Master Participation Trust By
Caliber Home Loans, Inc., As Its Attorney In Fact vs. DEBTOR
(Motion filed 3/19/19)

[RE: 426 Camino Flora Vista, San Clemente, CA 92673]

FR: 4-15-19

Docket 32

***** VACATED *** REASON: OFF CALENDAR - ORDER GRANTING
MOTION FOR RELIEF - SETTLED BY STIPULATION ENTERED 5-16-
19 - (DOCKET NO. [54])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Stephen Lawrie

Represented By
Andy C Warshaw

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 20, 2019

Hearing Room 6C

9:00 AM

8:16-12511 Alejandro Aguirre and Judith G. Aguirre

Chapter 13

#2.00

CONT'D Motion for relief from stay [Real Property]

Wilmington Trust, National Association, Not In Its Individual Capacity, But Solely As Trustee For MFRA Trust 2014-2 vs. DEBTORS
(Motion filed 2/20/19)

[RE: 904 Bruce Street, Anaheim, California 92804]

FR: 3-18-19

Docket 81

***** VACATED *** REASON: OFF CALENDAR - SETTLED BY
STIPULATION - [ADEQUATE PROTECTION STIPULATION -
DOCUMENT [85)] - DOCKET NO. [89]**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Alejandro Aguirre

Represented By
Jaime A Cuevas Jr.

Joint Debtor(s):

Judith G. Aguirre

Represented By
Jaime A Cuevas Jr.

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 20, 2019

Hearing Room 6C

9:00 AM

8:19-11159 Bridget Goddard

Chapter 13

#3.00

Motion for relief from stay [Unlawful Detainer]

Dev D. Aggarwal vs. DEBTOR
(Motion filed 4/4/19)

[RE: 15 Vantis Drive, Unit "A", Aliso Viejo, CA 92656]

Docket 7

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL FOR FAILURE TO FILE SCHEDULES, STATEMENTS
AND/OR PLAN ENTERED 4-16-19 - (DOCKET NO. [13])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Bridget Goddard	Pro Se
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Trustee(s):

Amrane (SA) Cohen (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 20, 2019

Hearing Room 6C

9:00 AM

8:19-11435 Ernesto Rafael Montalvo

Chapter 13

#4.00

Hearing RE: Motion In Individual Case For Order Imposing A Stay Or Continuing The Automatic Stay As The Court Deems Appropriate (Motion filed 4/19/19)

[RE: 1682 W Ord Way, Anaheim, CA 92802]

Docket 9

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will deny the motion. The motion is not being heard within 30 days of the petition filing date.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Ernesto Rafael Montalvo

Represented By
Claudia C Osuna

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 20, 2019

Hearing Room 6C

9:00 AM

8:18-14203 Pacific Foods & Distribution, Inc.

Chapter 7

#5.00

Motion for relief from stay [Personal Property]

Mercedes-Benz Financial Services USA LLC dba Daimler Truck Financial vs.
DEBTOR
(Motion filed 4/22/19)

[RE: 2016 Freightliner CA113DC - VIN No.: 3AKJGBD46GSHC6846]

Docket 53

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Pacific Foods & Distribution, Inc.

Represented By
Edmond Richard McGuire

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 20, 2019

Hearing Room 6C

9:00 AM

8:19-11453 William Anthony Wilson

Chapter 13

#6.00

Hearing RE: Motion In Individual Case For Order Imposing A Stay Or
Continuing The Automatic Stay As The Court Deems Appropriate
(Motion filed 4/22/19)
(OST Denied 4-22-19)

Docket 9

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

William Anthony Wilson

Represented By
Anthony B Vigil

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 20, 2019

Hearing Room 6C

9:00 AM

8:19-11218 US Direct LLC

Chapter 7

#7.00

Motion for relief from stay [Unlawful Detainer]

1700 Barranca Parkway, LLC, A California Limited Liability Company vs.
DEBTOR
(Motion filed 4/22/19)

[RE: 1700 Barranca Parkway, Irvine, CA 92606]

Docket 11

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1).

The Court will not waive the 14-day stay.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

US Direct LLC

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 20, 2019

Hearing Room 6C

9:00 AM

8:17-10265 Ralph E Sanders

Chapter 7

Adv#: 8:17-01068 Pette v. Sanders

#8.00

TRIAL RE: Amended Complaint For: Nondischargeability of Pending Lawsuits Pursuant to 11 U.S.C. Section 523(a)(6) and 11 U.S.C. Section 727(a)(4)(A)(B) (Complaint filed 5/8/17)
(Another Summons issued 5/19/17)
(Amended Complaint 7/14/17)
(PTC set at S/C held 10/4/17)
(Trial set at PTC held 3/20/19)

FR: 7-26-17; 8-30-17; 10-4-17; 4-25-18; 11-14-18

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The trial will proceed.

Party Information

Debtor(s):

Ralph E Sanders Pro Se

Defendant(s):

Ralph E Sanders Pro Se

Plaintiff(s):

Larnita Pette Pro Se

Trustee(s):

Weneta M Kosmala (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 20, 2019

Hearing Room 6C

9:00 AM

8:19-10162 Heriberto Marin

Chapter 7

#9.00

Hearing RE: Motion In Individual Case For Order Confirming Termination Of Stay Under 11 U.S.C. Section 362(c)(3) Or That No Stay Is In Effect Under 11 U.S.C. Section 362(c)(4)(A)(ii)

[RE: 6612 Val Verde Ave, Buena Park, California 90621]

Docket 36

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the request for judicial notice.

The Court will grant the motion and confirm that, pursuant to § 362(c)(4)(A)(ii), no stay is in effect in the current case.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Heriberto Marin

Represented By
Frank P Peterson

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 20, 2019

Hearing Room 6C

2:00 PM

8:18-13632 Ciara Butler

Chapter 7

#1.00

Hearing RE: United States Trustee's Motion For An Order Imposing Fines And Directing Disgorgement Of Fees Against Bankruptcy Petition Preparers Randolph M. Hirsch, Venus Rabizadeh And The Bankruptcy Preparers Network USA Pursuant To 11 U.S.C. Section 110 (Motion filed 4/12/19)

Docket 22

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion in part. The Court will fine the BPPs \$1,500 and order disgorgement of \$200 in fees paid to them. The Court will not triple the fines. The BPPs are ordered to pay \$1,700 to the U.S. Trustee on or before June 30, 2019.

UNITED STATES TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Ciara Butler

Pro Se

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 20, 2019

Hearing Room 6C

2:00 PM

8:19-10402 Sepideh Sally Cirino

Chapter 11

#2.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 case
(Petition filed 2/1/19)

FR: 4-10-19

Docket 0

***** VACATED *** REASON: CONTINUED TO MAY 29, 2019 AT 9:00
A.M. PER ORDER GRANTING REQUEST OF CONTINUANCE
ENTERED 5-16-19 - (DOCKET NO. [41])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sepideh Sally Cirino

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 20, 2019

Hearing Room 6C

2:00 PM

8:17-10699 Sen Hieu Phung

Chapter 7

#3.00

Hearing RE: Motion To Allow Creditors Untimely Proofs Of Claim Pursuant To Federal Rule Of Bankruptcy Procedure 9006(b)(1) (Motion filed 4/19/19)

Claim No. 9	Lieu Kim Phung	\$28,632.36
Claim No. 10	Judy Trinh	\$27,300.00
Claim No. 11	Van Duc Phung	\$150,300.00

Docket 96

Tentative Ruling:

APPEARANCES REQUIRED.

Applying the Dix factors, the Court determines that excusable neglect is present and will deny the motion to reclassify claims and allow the claims as deemed to be timely filed.

Accordingly, the Court will grant the creditors' motion and deny the Trustee's motion.

CREDITORS TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Sen Hieu Phung

Represented By
Jeffrey J Hagen

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Jeffrey I Golden
Reem J Bello

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 20, 2019

Hearing Room 6C

2:00 PM

8:17-10699 Sen Hieu Phung

Chapter 7

#3.10

CONT'D Hearing RE: Motion For Order Reclassifying Claims As Late Filed
Claims Pursuant To 11 U.S.C. Section 502:
(Motion filed 3/27/2019)

Claim No. 9	Lieu Kim Phung	\$28,632.36
Claim No. 10	Judy Trinh	\$27,300.00
Claim No. 11	Van Duc Phung	\$150,300.00

FR: 5-6-19

Docket 88

Tentative Ruling:

APPEARANCES REQUIRED.

Applying the Dix factors, the Court determines that excusable neglect is present and will deny the motion to reclassify claims and allow the claims as deemed to be timely filed.

Accordingly, the Court will grant the creditors' motion and deny the Trustee's motion.

CREDITORS TO LODGE ORDER VIA LOU WITHIN 7 DAYS

Party Information

Debtor(s):

Sen Hieu Phung

Represented By
Jeffrey J Hagen

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Jeffrey I Golden

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 20, 2019

Hearing Room 6C

2:00 PM

CONT...

Sen Hieu Phung

Reem J Bello

Chapter 7

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 20, 2019

Hearing Room 6C

2:00 PM

8:17-11334 Mega Development Group LLC

Chapter 7

#4.00

Hearing RE: Chapter 7 Trustee's Final Report And Applications For
Compensation And Reimbursement Of Expenses
(Final Report filed 4/24/19)

**[RE: WENETA M.A. KOSMALA - Chapter 7 Trustee]
[Fees: \$58,973.19; Expenses: \$184.00]**

**[RE: WEILAND GOLDEN GOODRICH LLP - Attorney For Chapter 7 Trustee]
[Fees: \$80,685.00; Expenses: \$1,608.66]**

**[RE: HAHN FIFE & COMPANY, LLP - Accountant For Chapter 7 Trustee]
[Fees: \$1,000.00; Expenses: \$0.00]**

Docket 183

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the application.

TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Mega Development Group LLC

Represented By
Greg M Mortensen
Larry Rothman
Larry Rothman

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Reem J Bello

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 20, 2019

Hearing Room 6C

2:00 PM

8:19-11558 Raymond L Lamy

Chapter 7

#5.00

Hearing RE: Motion To Hae Angela Lamy Fischer Appointed As "Next Friend"
For Debtor
(Motion filed 4/25/19)

Docket 9

***** VACATED *** REASON: OFF CALENDAR - ORDER VACATING
HEARING AS MOOT ENTERED 4-29-19 - (DOCKET NO. [16])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Raymond L Lamy

Represented By
Antonio John Ibarra

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 20, 2019

Hearing Room 6C

2:00 PM

8:14-11729 Richard Clark Farrell

Chapter 7

#6.00

Hearing RE: Motion To: (1) Sell Estate's Interest In C3 Lighting Solutions, Inc.;
And (2) Approve Compromise Of Controversies Between Chapter 7 Trustee,
Debtor, Irma Farrell, Richard E. Farrell, And Richard E. Farrell And Hildrith C.
Farrell Revocable Trust
(Motion filed 4/26/19)

Docket 843

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion for the reasons argued by the Trustee.

TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Trustee(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 20, 2019

Hearing Room 6C

2:00 PM

8:19-11218 US Direct LLC

Chapter 7

#7.00

Hearing RE: Whether The Court Should Enter An Order For Relief In This Involuntary Case Under Federal Rules Of Bankruptcy Procedure 1013, And If Such An Order Is Entered, The Amount Of The Cash Bond The Court Should Require Future Logistics, Inc. To Post Pursuant To 11 U.S.C. Section 303(e) (Set per Order Entered 5/1/19)

Docket 17

***** VACATED *** REASON: CONTINUED TO JUNE 24, 2019 AT 2:00 P.M. PER ORDER APPROVING STIPULATION ENTERED 5-8-19 - (DOCKET NO. [26])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

US Direct LLC

Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, May 20, 2019

Hearing Room 6C

2:00 PM

8:18-11792 Modern VideoFilm, Inc.

Chapter 11

#8.00

Hearing RE: Debtor's Motion For Third Extension Of Exclusive Periods To File A Plan And To Solicit Acceptances Thereto
(Motion filed 3/12/19)

Docket 153

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and extend plan exclusivity to June 10, 2019 and solicitation exclusivity to September 9, 2019.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Modern VideoFilm, Inc.

Represented By
Garrick A Hollander
Andrew B Levin
Peter W Lianides

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, May 21, 2019

Hearing Room 225

9:00 AM

6:18-12269 Christopher Allen Hageman

Chapter 7

Adv#: 6:18-01081 Escontrias v. Hageman et al

#1.00

PRE-TRIAL Conference re Complaint to Object to Debtors Discharge and Determine NonDischargeability of Debt under Code Section 523 by Pilar Escontrias against Christopher Allen Hageman, Crystal Dee Hageman, Kai Hargis. fraud as fiduciary, embezzlement, larceny)),(41 (Objection / revocation of discharge - 727(c),(d),(e)

(Cont. 4/30/18)

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the pretrial conference to August 22, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Christopher Allen Hageman

Represented By
Roland D Tweed

Defendant(s):

Christopher Allen Hageman

Pro Se

Crystal Dee Hageman

Pro Se

Kai Hargis

Pro Se

Joint Debtor(s):

Crystal Dee Hageman

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, May 21, 2019

Hearing Room 225

9:00 AM

CONT... Christopher Allen Hageman

Chapter 7

Roland D Tweed

Plaintiff(s):

Pilar Escontrias

Represented By
Ada R Cordero-Sack

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, May 21, 2019

Hearing Room 225

9:00 AM

6:19-12384 Anna Vasquez

Chapter 7

#2.00

Tiffany & Bosco - movant attorney

Motion for Relief from Stay

Bank of America, N.A. vs. Debtor
(Motion filed 4/18/19)

RE: U 2012 FORD F-150

Docket 9

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Anna Vasquez

Represented By
Christopher Hewitt

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, May 21, 2019

Hearing Room 225

2:00 PM

6:16-10693 Russell John Molina

Chapter 7

#1.00

Hrg. on Chapter 7 Trustee's Motion for Order Confirming Avoidance of Tax Penalties under 11 U.S.C. § 724(a) and Subordinating Tax Liens Encumbering Property of the Estate under 11 U.S.C. § 724(b)

Docket 87

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion. All rights are reserved to the Debtor to object to the Chapter 7 Trustee's fees. The important factor for the Court is that the IRS is not opposing the Motion.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Russell John Molina

Represented By
Summer M Shaw

Trustee(s):

Charles W Daff (TR)

Represented By
Lynda T Bui
Elyza P Eshaghi
Brandon J Iskander

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, May 21, 2019

Hearing Room 225

2:00 PM

6:17-16329 Juan Manuel Pesqueda

Chapter 7

#2.00

Hrg. on Debtor's Motion to Convert Case From Chapter 7 to 13.

Docket 57

Tentative Ruling:

APPEARANCES REQUIRED.

The Motion is not well-founded. The Debtor wants to repay creditors in a chapter 13 case, but the obligations to these creditors have already been discharged (on November 13, 2017). The Debtor is free to repay any creditors he likes but does not need to be in a chapter 13 case to do so.

The Motion is denied with prejudice.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Juan Manuel Pesqueda

Represented By
Gary S Saunders
Paul Y Lee

Trustee(s):

John P Pringle (TR)

Represented By
Toan B Chung

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, May 21, 2019

Hearing Room 225

2:00 PM

6:17-20521 Val James Simon and Katherine Lois Simon

Chapter 7

#3.00

Hrg. on Debtors' Motion to Avoid Judicial Lien with Jamie Taylor

(Cont. from 11/20/18)

Docket 29

*** VACATED *** REASON: Cont. to 9/17/19 @ 2:00 p.m. - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Val James Simon

Represented By
Todd L Turoci

Joint Debtor(s):

Katherine Lois Simon

Represented By
Todd L Turoci

Movant(s):

Val James Simon

Represented By
Todd L Turoci
Todd L Turoci
Todd L Turoci

Katherine Lois Simon

Represented By
Todd L Turoci
Todd L Turoci
Todd L Turoci

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, May 21, 2019

Hearing Room 225

2:00 PM

6:18-11493 Ossil V. Macavinta

Chapter 7

#4.00

Hrg. on Trustee's Final Report; Applications for Compensation

Docket 0

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the application and allow:

Trustee's fees: \$1,978.38

Trustee's expenses: \$151.16

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Ossil V. Macavinta

Represented By
Christopher Hewitt

Trustee(s):

John P Pringle (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, May 21, 2019

Hearing Room 225

2:00 PM

6:18-18731 Scott Shih Lee

Chapter 7

#5.00

Hrg. on Chapter 7 Trustee's Motion for Order to (1) Operate Business (Manage Real Property); (2) Collect Rents; and (3) Pay Operating Expenses

Docket 75

Tentative Ruling:

APPEARANCES REQUIRED.

The Court is troubled by the very slim margin between rental income and the monthly expenses on the first trust deeds and HELOCs on these properties. One plumbing or electrical problem could put these properties in the red. The Court is leaning toward denying the motion. The properties may already be in the red on an after-tax basis (principal payments being non-deductible).

Party Information

Debtor(s):

Scott Shih Lee

Represented By
Ronald D Halpern

Trustee(s):

Robert Whitmore (TR)

Represented By
D Edward Hays
Tinho Mang

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, May 22, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01174 Official Committee Of Unsecured Creditors v. New Market Enterprises, Inc.

#1.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Avoidance And Recovery Of Preferential Transfers Pursuant To 11 U.S.C. Sections 547 And 550

(Complaint filed 10/26/17) (set at PTC held 2/28/18)

FR: 2-28-18; 10-24-18; 1-30-19

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER APPROVING
STIPULATION OF DISMISSAL WITH PREJUDICE ENTERED 5-1-19 -
(DOCKET NO. [26])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green
Caroline Djang
Scott D Fink
Reed M Mercado

Defendant(s):

New Market Enterprises, Inc.

Pro Se

Plaintiff(s):

Official Committee Of Unsecured

Represented By
Andrew W Caine

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, May 22, 2019

Hearing Room 6C

9:00 AM

8:16-15208 Michael Younessi

Chapter 11

Adv#: 8:18-01150 Diamond Enterprises, Ltd, LP v. Younessi

#2.00

Hearing RE: Plaintiff Diamond Enterprises, Ltd. LP's Motion To Compel Solitek Solutions, Inc. To Produce Documents Responsive To Subpoena (Motion filed 5/1/19)

Docket 41

***** VACATED *** REASON: OFF CALENDAR - ORDER STAYING
ADVERSARY PROCEEDING ENTERED 5-2-19 - (DOCKET NO. [70])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Younessi

Represented By
Michael Jones
Sara Tidd

Defendant(s):

Michael Younessi

Represented By
Michael Jones

Plaintiff(s):

Diamond Enterprises, Ltd, LP

Represented By
M Douglas Flahaut
Annie Y Stoops

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, May 22, 2019

Hearing Room 6C

9:00 AM

8:16-15208 Michael Younessi

Chapter 11

Adv#: 8:18-01150 Diamond Enterprises, Ltd, LP v. Younessi

#3.00

Hearing RE: Plaintiff Diamond Enterprises, Ltd. LP's Motion To Compel Torres Construction Services, Inc. To Produce Documents Responsive To Subpoena (Motion filed 5/1/19)

Docket 42

*** VACATED *** REASON: OFF CALENDAR - ORDER STAYING
ADVERSARY PROCEEDING ENTERED 5-2-19 - (DOCKET NO. [70])

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Younessi

Represented By
Michael Jones
Sara Tidd

Defendant(s):

Michael Younessi

Represented By
Michael Jones

Plaintiff(s):

Diamond Enterprises, Ltd, LP

Represented By
M Douglas Flahaut
Annie Y Stoops

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, May 22, 2019

Hearing Room 6C

9:00 AM

8:16-15208 Michael Younessi

Chapter 11

Adv#: 8:18-01150 Diamond Enterprises, Ltd, LP v. Younessi

#4.00

Hearing RE: Plaintiff Diamond Enterprises, Ltd. LP's Motion To Compel Kathy Younessi To Produce Documents Responsive To Subpoena (Motion filed 5/1/19)

Docket 43

***** VACATED *** REASON: OFF CALENDAR - ORDER STAYING
ADVERSARY PROCEEDING ENTERED 5-2-19 - (DOCKET NO. [70])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Younessi

Represented By
Michael Jones
Sara Tidd

Defendant(s):

Michael Younessi

Represented By
Michael Jones

Plaintiff(s):

Diamond Enterprises, Ltd, LP

Represented By
M Douglas Flahaut
Annie Y Stoops

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, May 22, 2019

Hearing Room 6C

9:00 AM

8:16-15208 Michael Younessi

Chapter 11

Adv#: 8:18-01150 Diamond Enterprises, Ltd, LP v. Younessi

#5.00

Hearing RE: Plaintiff Diamond Enterprises, Ltd. LP's Motion To Compel James T. Imperiale To Produce Documents Responsive To Subpoena (Motion filed 5/1/19)

Docket 44

***** VACATED *** REASON: OFF CALENDAR - ORDER STAYING
ADVERSARY PROCEEDING ENTERED 5-2-19 - (DOCKET NO. [70])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Younessi

Represented By
Michael Jones
Sara Tidd

Defendant(s):

Michael Younessi

Represented By
Michael Jones

Plaintiff(s):

Diamond Enterprises, Ltd, LP

Represented By
M Douglas Flahaut
Annie Y Stoops

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, May 22, 2019

Hearing Room 6C

9:00 AM

8:16-15208 Michael Younessi

Chapter 11

Adv#: 8:18-01150 Diamond Enterprises, Ltd, LP v. Younessi

#6.00

Hearing RE: Plaintiff Diamond Enterprises, Ltd. LP's Motion To Compel Tiara Enterprises LLC To Produce Documents Responsive To Subpoena (Motion filed 5/1/19)

Docket 45

***** VACATED *** REASON: OFF CALENDAR - ORDER STAYING
ADVERSARY PROCEEDING ENTERED 5-2-19 - (DOCKET NO. [70])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Younessi

Represented By
Michael Jones
Sara Tidd

Defendant(s):

Michael Younessi

Represented By
Michael Jones

Plaintiff(s):

Diamond Enterprises, Ltd, LP

Represented By
M Douglas Flahaut
Annie Y Stoops

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, May 22, 2019

Hearing Room 6C

9:00 AM

8:16-15208 Michael Younessi

Chapter 11

Adv#: 8:18-01150 Diamond Enterprises, Ltd, LP v. Younessi

#7.00

Hearing RE: Plaintiff Diamond Enterprises, Ltd. LP's Motion To Compel Aliso Enterprises LLC To Produce Documents Responsive To Subpoena (Motion filed 5/1/19)

Docket 46

***** VACATED *** REASON: OFF CALENDAR - ORDER STAYING
ADVERSARY PROCEEDING ENTERED 5-2-19 - (DOCKET NO. [70])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Younessi

Represented By
Michael Jones
Sara Tidd

Defendant(s):

Michael Younessi

Represented By
Michael Jones

Plaintiff(s):

Diamond Enterprises, Ltd, LP

Represented By
M Douglas Flahaut
Annie Y Stoops

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, May 22, 2019

Hearing Room 6C

9:00 AM

8:16-15208 Michael Younessi

Chapter 11

Adv#: 8:18-01150 Diamond Enterprises, Ltd, LP v. Younessi

#8.00

Hearing RE: Plaintiff Diamond Enterprises, Ltd. LP's Motion To Compel MJAK Investment, LLC To Produce Documents Responsive To Subpoena (Motion filed 5/1/19)

Docket 47

***** VACATED *** REASON: OFF CALENDAR - ORDER STAYING
ADVERSARY PROCEEDING ENTERED 5-2-19 - (DOCKET NO. [70])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Younessi

Represented By
Michael Jones
Sara Tidd

Defendant(s):

Michael Younessi

Represented By
Michael Jones

Plaintiff(s):

Diamond Enterprises, Ltd, LP

Represented By
M Douglas Flahaut
Annie Y Stoops

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, May 22, 2019

Hearing Room 6C

9:00 AM

8:16-15208 Michael Younessi

Chapter 11

Adv#: 8:18-01150 Diamond Enterprises, Ltd, LP v. Younessi

#9.00

Hearing RE: Plaintiff Diamond Enterprises, Ltd. LP's Motion To Compel Pacifica Holdings, LLC To Produce Documents Responsive To Subpoena (Motion filed 5/1/19)

Docket 48

***** VACATED *** REASON: OFF CALENDAR - ORDER STAYING
ADVERSARY PROCEEDING ENTERED 5-2-19 - (DOCKET NO. [70])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Younessi

Represented By
Michael Jones
Sara Tidd

Defendant(s):

Michael Younessi

Represented By
Michael Jones

Plaintiff(s):

Diamond Enterprises, Ltd, LP

Represented By
M Douglas Flahaut
Annie Y Stoops

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, May 22, 2019

Hearing Room 6C

9:00 AM

8:16-15208 Michael Younessi

Chapter 11

Adv#: 8:18-01150 Diamond Enterprises, Ltd, LP v. Younessi

#10.00

Hearing RE: Plaintiff Diamond Enterprises, Ltd. LP's Motion To Amend Scheduling Order
(Motion filed 5/1/19)

Docket 49

***** VACATED *** REASON: OFF CALENDAR - ORDER STAYING
ADVERSARY PROCEEDING ENTERED 5-2-19 - (DOCKET NO. [70])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Younessi

Represented By
Michael Jones
Sara Tidd

Defendant(s):

Michael Younessi

Represented By
Michael Jones

Plaintiff(s):

Diamond Enterprises, Ltd, LP

Represented By
M Douglas Flahaut
Annie Y Stoops

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, May 23, 2019

Hearing Room 225

9:00 AM

6:14-18824 Maria Elena Rodriguez

Chapter 7

Adv#: 6:19-01047 Ford Walker Haggerty & Behar, LLP et al v. Simons

#1.00

STATUS CONFERENCE re: Complaint by Ford Walker Haggerty & Behar, LLP, Timothy McDonald against Larry D Simons. priority or extent of lien or other interest in property)),(91 (Declaratory judgment))

Docket 1

*** VACATED *** REASON: Order signed 5/16/19 continuing status conference to 5/30/19 - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Maria Elena Rodriguez

Represented By
Michael H Colmenares
John P Kreis

Defendant(s):

Larry D Simons

Represented By
Daniel A Lev

Plaintiff(s):

Ford Walker Haggerty & Behar, LLP

Represented By
Howard Steinberg

Timothy McDonald

Represented By
Howard Steinberg

Trustee(s):

Larry D Simons (TR)

Represented By
C John M Melissinos

Daniel A Lev

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, May 23, 2019

Hearing Room 225

9:00 AM

6:16-12645 Frank Bagheritarie

Chapter 7

Adv#: 6:17-01192 Zagros Horizons USA, Inc. v. Bagheritarie

#2.00

Hrg on Defendant's Motion to Dismiss Adversary Proceeding

(Cont. from 3/21/19)

Docket 7

***** VACATED *** REASON: Notice of Voluntary dismissal of Adversary
filed 4/8/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Frank Bagheritarie

Represented By
Neil R Hedtke

Defendant(s):

Frank Bagheritarie

Represented By
Varand Gourjian

Movant(s):

Frank Bagheritarie

Represented By
Varand Gourjian

Plaintiff(s):

Zagros Horizons USA, Inc.

Represented By
Dina Farhat
Paymon Bidari

Trustee(s):

John P Pringle (TR)

Represented By
Wesley H Avery

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, May 23, 2019

Hearing Room 225

9:00 AM

CONT... Frank Bagheritarie

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, May 23, 2019

Hearing Room 225

9:00 AM

6:16-12645 Frank Bagheritarie

Chapter 7

Adv#: 6:17-01192 Zagros Horizons USA, Inc. v. Bagheritarie

#3.00

Hrg on Mohamed Bagheri's, Party in Interest re Motion For Joinder As Additional Plaintiff under F.R.B.P. 7019 and 7020

(Cont. from 3/21/19)

Docket 29

***** VACATED *** REASON: Notice of Voluntary dismissal of Adversary
filed 4/8/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Frank Bagheritarie

Represented By
Neil R Hedtke

Defendant(s):

Frank Bagheritarie

Represented By
Varand Gourjian

Movant(s):

Mohammed Bagheri

Represented By
Carly E Mashburn

Plaintiff(s):

Zagros Horizons USA, Inc.

Represented By
Dina Farhat
Paymon Bidari

Trustee(s):

John P Pringle (TR)

Represented By
Wesley H Avery

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, May 23, 2019

Hearing Room 225

9:00 AM

CONT... Frank Bagheritarie

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, May 23, 2019

Hearing Room 225

9:00 AM

6:16-12645 Frank Bagheritarie

Chapter 7

Adv#: 6:17-01192 Zagros Horizons USA, Inc. v. Bagheritarie

#4.00

Hrg. on Plaintiff's Motion filed 8/2/18 to Compel the Deposition of Frank Bagheritarie and Production of Documents and Request for Sanctions

(Cont. from 3/21/19)

Docket 46

*** VACATED *** REASON: Notice of Voluntary dismissal of Adversary filed 4/8/19 - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Frank Bagheritarie

Represented By
Neil R Hedtke

Defendant(s):

Frank Bagheritarie

Represented By
Varand Gourjian

Movant(s):

Zagros Horizons USA, Inc.

Represented By
Dina Farhat
Paymon Bidari

Plaintiff(s):

Zagros Horizons USA, Inc.

Represented By
Dina Farhat
Paymon Bidari

Trustee(s):

John P Pringle (TR)

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, May 23, 2019

Hearing Room 225

9:00 AM

CONT...

Frank Bagheritarie

Wesley H Avery

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, May 23, 2019

Hearing Room 225

9:00 AM

6:16-12645 Frank Bagheritarie

Chapter 7

Adv#: 6:17-01192 Zagros Horizons USA, Inc. v. Bagheritarie

#5.00

STATUS CONFERENCE Re: Complaint for: 1. Declaratory relief 2. Preliminary injunction 3. Avoidance and recovery of actual fraudulent transfers (11 U.S.C. §§ 548(1)(A) and 550) 4. Avoidance and recovery of actual fraudulent transfers (CCP §3439) 5. Avoidance and recovery of constructive fraudulent transfer (11 U.S.C. §§5549(a)(1)(B) and 550)

(Cont. from 3/21/19)

Docket 1

***** VACATED *** REASON: Notice of Voluntary dismissal of Adversary filed 4/8/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Frank Bagheritarie

Represented By
Neil R Hedtke

Defendant(s):

Frank Bagheritarie

Represented By
Varand Gourjian

Plaintiff(s):

Zagros Horizons USA, Inc.

Represented By
Dina Farhat
Paymon Bidari

Trustee(s):

John P Pringle (TR)

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, May 23, 2019

Hearing Room 225

9:00 AM

CONT...

Frank Bagheritarie

Wesley H Avery

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, May 23, 2019

Hearing Room 225

9:00 AM

6:16-12645 Frank Bagheritarie

Chapter 7

Adv#: 6:17-01192 Zagros Horizons USA, Inc. v. Bagheritarie

#6.00

Hrg on Defendant's Motion to Dismiss Adversary Proceeding

(Cont. from 3/21/19)

Docket 7

***** VACATED *** REASON: Notice of Voluntary dismissal of Adversary
filed 4/8/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Frank Bagheritarie

Represented By
Neil R Hedtke

Defendant(s):

Frank Bagheritarie

Represented By
Varand Gourjian

Movant(s):

Frank Bagheritarie

Represented By
Varand Gourjian

Plaintiff(s):

Zagros Horizons USA, Inc.

Represented By
Dina Farhat
Paymon Bidari

Trustee(s):

John P Pringle (TR)

Represented By
Wesley H Avery

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, May 23, 2019

Hearing Room 225

9:00 AM

CONT... Frank Bagheritarie

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, May 23, 2019

Hearing Room 225

9:00 AM

6:16-14576 USA Sales, Inc.

Chapter 11

Adv#: 6:16-01302 USA Sales, Inc. v. California State Board Of Equalization et al

#7.00

STATUS CONFERENCE Re: Complaint to determin amount of taxes owed pursuant to Bankruptcy Code 505(A); Objection to claim of the California Board of Equalization

(Cont. from 1/24/19)

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the status conference to October 10, 2019 at 9:00 a.m with an updated status report due October 2, 2019.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

USA Sales, Inc.

Represented By
Daren M Schlecter
Rachel S Milman Esq
A. Lavar Taylor
Lisa Nelson

Defendant(s):

California State Board Of

Represented By
Ronald N Ito

California Department of Tax and

Represented By
Lisa W Chao

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, May 23, 2019

Hearing Room 225

9:00 AM

CONT... USA Sales, Inc.

Chapter 11

Plaintiff(s):

USA Sales, Inc.

Represented By

Lisa Nelson

A. Lavar Taylor

Daren M Schlecter

Bruce A Emard

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, May 23, 2019

Hearing Room 225

9:00 AM

6:16-14576 USA Sales, Inc.

Chapter 11

#8.00

Hrg. on Chapter 11 Status Conference on the Plan and Disclosure Statement

(Cont. from 1/24/19)

Docket 0

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the status conference to October 10, 2019 at 9:00 a.m with an updated status report due October 2, 2019.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

USA Sales, Inc.

Represented By
Daren M Schlecter
Rachel S Milman Esq
A. Lavar Taylor
Lisa Nelson

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, May 23, 2019

Hearing Room 225

9:00 AM

6:17-13682 Mary Ann Gilmore

Chapter 7

Adv#: 6:17-01271 United States Trustee for the Central District of v. Ashcraft et al

#9.00

PRE-TRIAL CONFERENCE re: Complaint for Disgoregement of Fees, Civil Penalties, Sanctions, and Declaratory, Injunctive, and other relief

Docket 0

***** VACATED *** REASON: Cont. to 8/8/19 @ 9:00 a.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Mary Ann Gilmore

Represented By
Patricia M Ashcraft

Defendant(s):

Patricia M Ashcraft

Represented By
Todd L Turoci

The Law Offices of Gregory C.

Represented By
Todd L Turoci

Plaintiff(s):

United States Trustee for the Central

Represented By
Mohammad Tehrani
Abram Feuerstein esq
Neil Verbrugge

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, May 23, 2019

Hearing Room 225

9:00 AM

6:18-12692 Leanna Therese Bonamici

Chapter 7

Adv#: 6:18-01170 Von Dehn v. Bonamici

#10.00

STATUS CONFERENCE re: Complaint by Von Dehn Kathleen against Leanna Therese Bonamici. false pretenses, false representation, actual fraud))

(Cont. from 4/18/19)

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will issue a scheduling order:

1. All discovery shall close on August 31, 2019.
2. All discovery motions shall be heard before September 30, 2019
3. All pretrial motions shall be heard before October 31, 2019.
4. Pretrial conference is set for November 14, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Leanna Therese Bonamici

Represented By
Christopher Hewitt

Defendant(s):

Leanna Therese Bonamici

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, May 23, 2019

Hearing Room 225

9:00 AM

CONT... Leanna Therese Bonamici

Chapter 7

Christopher Hewitt

Plaintiff(s):

Kathleen Von Dehn

Represented By
R Gibson Pagter Jr.

Trustee(s):

Charles W Daff (TR)

Represented By
R Gibson Pagter Jr.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, May 28, 2019

Hearing Room 225

9:00 AM

6:19-12282 Alejandra Flores

Chapter 7

#1.00

Prenovost, Normandin, Bergh & Dawe - movant attorney

Motion for Relief from Stay

LBS Financial Credit Union vs. DEBTOR
(Motion filed 5/7/19)

Re: 2015 Chevrolet Camaro LT

Docket 9

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Alejandra Flores

Represented By
Kian Mottahedeh

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, May 28, 2019

Hearing Room 225

9:00 AM

6:19-12649 Joanna B. Nuno

Chapter 7

#2.00

Scheer Law Group, LLP - movant attorney

Motion for Relief from Stay

Logix Federal Credit Union vs. DEBTOR
(Motion filed 5/3/19)

Re: 2015 Honda Accord

Docket 11

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Joanna B. Nuno

Represented By
Keith Q Nguyen

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, May 28, 2019

Hearing Room 225

9:00 AM

6:19-13255 Armin Badzak

Chapter 7

#3.00

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

Motion for Relief from Stay

Daimler Trust vs. DEBTOR, Arturo Cisneros, Trustee
(Motion filed 5/2/19)

Re: 2018 Mercedes-Benz GLC300W, VIN: WDC0G4JB6JV061502

Docket 9

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Armin Badzak

Represented By
Jenny L Doling

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, May 28, 2019

Hearing Room 225

2:00 PM

6:15-16530 Christopher Anderson

Chapter 7

#1.00

Hrg. on trustee's final report and applications for compensation

EH_____

Docket 0

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the application and allow:

Trustee's fees: \$2,750.00

Trustee's expenses: \$186.22

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Christopher Anderson

Pro Se

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, May 28, 2019

Hearing Room 225

2:00 PM

6:17-16492 Douglas Edward Laube

Chapter 7

#2.00

Hrg. on trustee's final report; applications for compensation

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the application and allow:

Trustee's fees: \$16,006.00

Trustee's expenses: \$297.56

Attorneys' fees: \$90,000.00

Attorneys' expenses: \$5,147.31

Accountant's fees: \$4,500.00

Accountant's expenses: \$38.05

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Douglas Edward Laube

Represented By
Todd L Turoci

Trustee(s):

Lynda T. Bui (TR)

Represented By
Leonard M Shulman
Rika Kido

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, May 28, 2019

Hearing Room 225

2:00 PM

6:17-19421 Joseph Andrew Cordova

Chapter 7

#3.00

Hrg. on Debtor's Motion to Avoid Junior Lien under 11 U.S.C. §522(f) (Real Property)

Docket 24

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

The Court will hold an evidentiary hearing on the issue of the subject property's true fair market value.

Party Information

Debtor(s):

Joseph Andrew Cordova

Represented By
Julie J Villalobos

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, May 29, 2019

Hearing Room 6C

9:00 AM

8:14-11729 Richard Clark Farrell
Adv#: 8:16-01123 Naylor v. Farrell

Chapter 7

#1.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: First Amended Complaint
For (1) Equitable Subordination Of Claim,
(2) Breach Of Fiduciary Duty, And
(3) Declaratory Relief
(Complaint filed 5/2/16) (First Amended Complaint filed 9/30/16)
(PTC set at S/C held 5/9/18)
(S/C set per Order Entered 5-11-18)
(PTC set at S/C held 11/14/18)

FR: 7-27-16; 9-14-16; 10-12-16; 12-8-16; 2-15-17; 3-6-17; 3-20-17; 6-28-17;
11-13-17; 3-28-18; 5-9-18; 11-14-18; 4-22-19

Docket 19

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the pretrial conference (as a status conference only; the Court will not be conducting a pretrial conference) to July 17, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Defendant(s):

Betty Farrell

Represented By
D Edward Hays

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, May 29, 2019

Hearing Room 6C

9:00 AM

CONT... Richard Clark Farrell

Chapter 7

Plaintiff(s):

Karen Sue Naylor

Represented By
Robert P Goe

Trustee(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, May 29, 2019

Hearing Room 6C

9:00 AM

8:16-10849 Casey John Simon

Chapter 7

Adv#: 8:16-01187 Gordy v. Simon et al

#2.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Deny And Object To The Debtors' Discharge Pursuant To 11 U.S.C. Section 727 (Complaint filed 8/12/16)

FR: 11-9-16; 3-8-17; 5-31-17; 12-13-17; 2-28-18; 5-30-18; 9-5-18; 1-9-19; 3-27-19

Docket 1

***** VACATED *** REASON: CONTINUED TO SEPTEMBER 18, 2019 AT 9:00 A.M. PER ORDER ON STIPULATION TO CONTINUE STATUS CONFERENCE ENTERED 5-16-19 - (DOCKET NO. [115])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Casey John Simon

Represented By
Kelly Zinser

Defendant(s):

Korrine Ellen Simon

Represented By
Kelly Zinser

Casey John Simon

Represented By
Kelly Zinser

Joint Debtor(s):

Korrine Ellen Simon

Represented By
Kelly Zinser

Plaintiff(s):

Paul Thomas Gordy

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, May 29, 2019

Hearing Room 6C

9:00 AM

CONT... Casey John Simon

Gary Leibowitz

Chapter 7

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, May 29, 2019

Hearing Room 6C

9:00 AM

8:18-11792 Modern VideoFilm, Inc.

Chapter 11

Adv#: 8:18-01084 Modern VideoFilm, Inc. v. Barkat et al

#3.00

CONT'D Hearing RE: Special Motion To Strike Second, Tenth And Fifteenth Claims For Relief From Modern VideoFilm, Inc.'s First Amended Complaint
[Motion Treated As Summary Judgment Motion]
(Motion filed 7/6/18)
[Defendant Hugh Miller dismissed 8/10/18 - Docket No. [57]]

FR: 8-1-18; 10-17-18; 2-27-19

Docket 34

Tentative Ruling:

No tentative ruling at this time.

Party Information

Debtor(s):

Modern VideoFilm, Inc.

Represented By
Garrick A Hollander
Andrew B Levin
Peter W Lianides

Defendant(s):

Hugh Miller

Represented By
David L. Neale

Deborah Barkat

Represented By
David L. Neale

Danielle Barkat Turner

Represented By
David L. Neale

Sivan Barkat Sherman

Represented By
David L. Neale

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, May 29, 2019

Hearing Room 6C

9:00 AM

CONT... Modern VideoFilm, Inc.

Chapter 11

Sidan Engineering, L.P.

Represented By
David L. Neale

Modern VideoFilm Holdings, LLC

Represented By
Juliet Y Oh
David L. Neale

Moshe Barkat

Represented By
Juliet Y Oh
David L. Neale

Plaintiff(s):

Modern VideoFilm, Inc.

Represented By
Garrick A Hollander

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, May 29, 2019

Hearing Room 6C

9:00 AM

8:19-10692 Naveed K Fazli

Chapter 13

Adv#: 8:19-01056 Fazli v. Nationstar Mortgage, LLC et al

#4.00

Hearing RE: Motion To Dismiss Complaint (1) To Determine The Extent And Validity Of Lien On Real Property; And (2) For Declaratory Relief (Motion filed 4/29/19)

[Tele. appr., Christopher McDermott, repr., Creditor, Courtesty NEF]

Docket 3

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant movant's request for judicial notice.

The Court will grant the motion and dismiss the adversary proceeding for reasons argued by the movant and, as an independent ground, for Debtor's failure to timely oppose the motion, which failure is deemed to be consent to granting the motion. LBR 9013-1(h).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Naveed K Fazli

Pro Se

Defendant(s):

Nationstar Mortgage, LLC

Represented By
Christopher M McDermott

HSBC Bank USA, National

Represented By
Christopher M McDermott

Jason Andrews

Pro Se

T.L. Beach LTD

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, May 29, 2019

Hearing Room 6C

9:00 AM

CONT... Naveed K Fazli

Chapter 13

Crescent Holdings	Pro Se
Amrane Cohen	Pro Se
Team Oak	Pro Se
Capital Ventures	Pro Se
Rancho Enterprise	Pro Se
Sunset Ventures	Pro Se
Nexus Pointe	Pro Se
Work Force Partners	Pro Se
Best Co Investments	Pro Se
Ameriprise Services	Pro Se
Prime Ventures	Pro Se
INOVEST POINTE	Pro Se
The Maxwell Group	Pro Se
First Line Development	Pro Se
Redline Funding	Pro Se
Ridge Group	Pro Se

Plaintiff(s):

Naveed Fazli

Represented By
Jonathan A Michaels

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, May 29, 2019

Hearing Room 6C

9:00 AM

8:19-11218 US Direct LLC

Chapter 7

#5.00

Motion for relief from stay [Real Property]

Liberty Property Limited Partnership vs. DEBTOR
(Motion filed 5/8/19)
(OST signed 5/9/19)

[RE: 1575 Hunter Road, Hanover Park, Illinois 60133]

[Tele. appr., Craig N. Haring, repr., Creditor, Liberty Property Limited Partnership]

Docket 27

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion pursuant to § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

US Direct LLC

Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, May 29, 2019

Hearing Room 6C

9:00 AM

8:19-10402 Sepideh Sally Cirino

Chapter 11

#6.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 case
(Petition filed 2/1/19)

FR: 4-10-19; 5-20-19

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into compliance with U.S. Trustee guidelines and requirements.

The Court will set a deadline of July 31, 2019 for filing a plan and disclosure statement and a deadline of September 30, 2019 for confirming a plan.

Next status conference: TBD.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Sepideh Sally Cirino

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, May 30, 2019

Hearing Room 225

9:00 AM

6:14-18824 Maria Elena Rodriguez

Chapter 7

Adv#: 6:19-01047 Ford Walker Haggerty & Behar, LLP et al v. Simons

#1.00

STATUS CONFERENCE re: Complaint by Ford Walker Haggerty & Behar, LLP, Timothy McDonald against Larry D Simons. priority or extent of lien or other interest in property)),(91 (Declaratory judgment))

(Cont. from 5/23/19)

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will issue a scheduling order:

1. All discovery closes September 15, 2019.
2. All discovery motions shall be heard before October 15, 2019.
3. All pretrial motions shall be heard before November 15, 2019.
4. Pretrial conference is set for December 5, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Maria Elena Rodriguez

Represented By
Michael H Colmenares
John P Kreis

Defendant(s):

Larry D Simons

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, May 30, 2019

Hearing Room 225

9:00 AM

CONT... Maria Elena Rodriguez

Chapter 7

Daniel A Lev

Plaintiff(s):

Ford Walker Haggerty & Behar, LLP

Represented By
Howard Steinberg

Timothy McDonald

Represented By
Howard Steinberg

Trustee(s):

Larry D Simons (TR)

Represented By
C John M Melissinos

Daniel A Lev

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, May 30, 2019

Hearing Room 225

9:00 AM

6:18-20210 Israel Antonio Mendoza Barillas

Chapter 7

Adv#: 6:19-01048 Chareunsouk v. Barillas

#2.00

STATUS CONFERENCE Re: Complaint to objection/revocation of discharge

(Request for Entry of Default entered 4/12/19)

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the status conference to September 19, 2019.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Israel Antonio Mendoza Barillas

Represented By
Curtis R Aijala

Defendant(s):

Israel Antonio Mendoza Barillas

Pro Se

Plaintiff(s):

Sayngeune Chareunsouk

Pro Se

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, May 30, 2019

Hearing Room 225

2:00 PM

6:16-15248 Murray Altman

Chapter 11

#1.00

Hrg. on Motion By United States Trustee To Dismiss Or Convert Chapter 11 Case

(Cont. from 3/12/19)

(Tele. appr. Kathleen March, rep creditors, Ramon Palm Lane, Inc & Yun Shin)

Docket 274

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court would like the confirmation hearing to forward prior to hearing this matter. If the plan is not confirmed, the Court likely will dismiss or convert the case.

The Court continues the hearing on the dismissal motion to August 20, 2019 at 2:00 p.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, May 30, 2019

Hearing Room 225

2:00 PM

6:16-15248 Murray Altman

Chapter 11

#2.00

Hrg. re Motion, of Yun Hei Shin, moving for order dismissing Altmans Ch.11 case, with a 180 Day bar against filing any additional bankruptcy Case, for cause, Including improper diminution of bankruptcy estate; 2nd amended plan is not confirmable; bad faith; and undue delay prejudicial to creditors'

(Cont.from 3/12/19)

(Tele. appr. Kathleen March, rep creditors, Ramon Palm Lane, Inc & Yun Shin)

Docket 289

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court would like the confirmation hearing to forward prior to hearing this matter. If the plan is not confirmed, the Court likely will dismiss or convert the case.

The Court continues the hearing on the dismissal motion to August 20, 2019 at 2:00 p.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Friday, May 31, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01012 Official Committee of Unsecured Creditors of Freed v. Kushner et al

#1.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint:

(1) For Damages;

(2) To Avoid Fraudulent Transfers Pursuant To 11 U.S.C. Section 548(a)(1)(B);
And

(3) To Avoid Fraudulent Transfers Pursuant To 11 U.S.C. Section 544 And
California Civil Code Sections 3439.04, 3439.05 And 3439.07; And
Jury Trial Demand

(Complaint filed 1/26/17)

FR: 4-19-17; 6-21-17; 8-2-17; 12-13-17; 2-7-18; 2-5-18; 12-12-18

Docket 1

***** VACATED *** REASON: CONTINUED TO SEPTEMBER 4, 2019 AT
9:00 A.M. PER ORDER GRANTING MOTION TO EXTEND PRE-TRIAL
SCHEDULE ENTERED 1-31-19 - (DOCKET NO. [122])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By

William N Lobel

Beth Gaschen

Alan J Friedman

Christopher J Green

Caroline Djang

Scott D Fink

Reed M Mercado

Defendant(s):

JTR, LLC

Pro Se

Financial Institution Consulting

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Friday, May 31, 2019

Hearing Room 6C

9:00 AM

CONT... Freedom Communications, Inc.

Chapter 11

Etaros Actuarial Services LLC	Pro Se
C2 Advisors, LLC	Pro Se
C & C Marketing LLC	Pro Se
Larry P. Chinn	Pro Se
Traci M. Christian	Pro Se
Richard J. Covelli	Pro Se
Eric Spitz	Pro Se
Aaron Kushner	Pro Se

Plaintiff(s):

Official Committee of Unsecured

Represented By
Alan J Kornfeld

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, June 10, 2019

Hearing Room 6C

9:00 AM

8:18-10203 Phillip Barry Greer

Chapter 7

Adv#: 8:18-01069 Marshack et al v. Biden

#1.00

CONT'D STATUS CONFERENCE Hearing RE: Chapter 7 Trustee's Second Amended Complaint For:

(1) Avoidance And Recovery Of Fraudulent Transfer;

(2) Constructive Trust;

(3) Declaratory Relief;

(4) Turnover Of Estate Property; And

(5) Authorization To Sell Entirety Of Real Property

Regarding Real Property Located At 19 Bridgeport Road, Newport Coast, California

(First Amended Complaint filed 12/14/18)

(Second Amended Complaint filed 4/10/19)

FR: 1-23-19; 2-20-19; 5-8-19

Docket 27

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will approve the parties' stipulation filed on 5/30/19 and continue the status conference to July 17, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Phillip Barry Greer

Pro Se

Defendant(s):

Arlene C Biden

Represented By
Phillip Greer

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, June 10, 2019

Hearing Room 6C

9:00 AM

CONT... Phillip Barry Greer

Chapter 7

Plaintiff(s):

Chriss W. Street

Represented By
Timothy C Aires

Richard A Marshack

Represented By
Ryan D ODea

Trustee(s):

Richard A Marshack (TR)

Represented By
James C Bastian Jr
Ryan D ODea

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, June 11, 2019

Hearing Room 225

2:00 PM

6:17-17842 Daniel Lawrence Cohen

Chapter 7

#1.00

Hrg. on Chapter 7 Trustee's Motion filed 5/20/19 for Order Authorizing Use of Estate Property Under U.S.C. Section 363

Docket 55

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and authorize the Trustee to file documents Debtor would be empowered to or obligated to file and serve under the Settlement Agreement, including a written waiver of contest.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Daniel Lawrence Cohen

Represented By
Robert L Firth

Trustee(s):

John P Pringle (TR)

Represented By
D Edward Hays

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, June 11, 2019

Hearing Room 225

2:00 PM

6:18-13196 Sunpro Solar Inc.

Chapter 11

#2.00

Hrg. on Debtor's Motion for Approval of First and Final Professional Fees and Expenses of Rosenstein & Associates

Docket 126

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant and allow \$58,207.50 in attorneys' fees and \$3,308.48 in expenses.

APPLICANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Sunpro Solar Inc.

Represented By
Robert B Rosenstein

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, June 11, 2019

Hearing Room 225

2:00 PM

6:18-13196 Sunpro Solar Inc.

Chapter 11

#3.00

Hrg. on Debtor's Motion for Approval of First and Final Professional Fees and Expenses, of Global Tax & Accounting, Inc.

Docket 127

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant and allow \$5,000 on a final basis.

APPLICANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Sunpro Solar Inc.

Represented By
Robert B Rosenstein

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, June 11, 2019

Hearing Room 225

2:00 PM

6:18-13196 Sunpro Solar Inc.

Chapter 11

#4.00

Hrg. on Debtor's Motion For Final Decree and Order Closing Case

Docket 128

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion, enter a final decree and close the case.

REORGANIZED DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Sunpro Solar Inc.

Represented By
Robert B Rosenstein

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, June 11, 2019

Hearing Room 225

2:00 PM

6:18-17032 Henry Ordan Batac and Sally Rile Batac

Chapter 7

#5.00

Hrg. on Chapter 7 Trustee's Application for Order Authorizing Sale of Personal Property of the Estate

EH _____

Docket 30

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Henry Ordan Batac

Represented By
Carey C Pickford

Joint Debtor(s):

Sally Rile Batac

Represented By
Carey C Pickford

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, June 11, 2019

Hearing Room 225

2:00 PM

6:18-18731 Scott Shih Lee

Chapter 7

#6.00

Hrg. on Chapter 7 Trustee's Motion filed 5/15/19 for Order Compelling Turnover of Property of the Estate

Docket 82

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the Chapter 7 Trustee's motion and all relief requested therein.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Scott Shih Lee

Represented By
Ronald D Halpern

Trustee(s):

Robert Whitmore (TR)

Represented By
D Edward Hays
Tinho Mang

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, June 11, 2019

Hearing Room 225

2:00 PM

6:18-18731 Scott Shih Lee

Chapter 7

#7.00

Hrg. on Chapter 7 Trustee's Motion for extension of time to file a complaint objecting to discharge Second Motion by Chapter 7 Trustee to Extend Deadline to File Complaint to Deny Discharge pursuant to Rule 4004(b)(1) of the Federal Rules of Bankruptcy Procedure

Docket 83

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and extend the deadline to file a section 727 denial of discharge action to July 15, 2019 at 11:00 p.m.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Scott Shih Lee

Represented By
Ronald D Halpern

Trustee(s):

Robert Whitmore (TR)

Represented By
D Edward Hays
Tinho Mang

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 12, 2019

Hearing Room 6C

9:00 AM

8:18-14203 Pacific Foods & Distribution, Inc.

Chapter 7

#1.00

CONT'D Motion for relief from stay [Action In Non-Bankruptcy Forum]

Dwayne Mason vs. DEBTOR
(Motion filed 4/1/19)

**[RE: Case Name: Mason v. Pacific Foods & Distribution, Inc., et al.]
[Docket Number: 30-2018-01028268-CU-PA-CJC]
[Pending In: Superior Court of California of the County of Orange]
[700 Civic Center Drive, Santa Ana, CA 92701]**

FR: 5-6-19

Docket 35

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Pacific Foods & Distribution, Inc.

Represented By
Edmond Richard McGuire

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Thomas H Casey

8:19-11218 US Direct LLC

Chapter 7

#2.00

Motion for relief from stay [Personal Property]

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 12, 2019

Hearing Room 6C

9:00 AM

CONT...

US Direct LLC
SCREEN GP Americas, LLC vs. DEBTOR
(Motion filed 4/30/19) (OST signed 5/28/19)

Chapter 7

[RE: Equipment - True Press Jet 520ZZ Print System]

Docket 15

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

US Direct LLC

Represented By
Donald W Sieveke

Movant(s):

SCREEN GP Americas, LLC

Represented By
Asa W Markel

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 12, 2019

Hearing Room 6C

10:00 AM

8:19-10472 Irene V Archuleta

Chapter 7

#1.00

Hearing RE: Pro se Reaffirmation Agreement Between Debtor And TD Auto Finance LLC
(Motion filed 4/24/19)

**[RE: 2013 Hyundai Sonata - \$15,396.40]
[VIN No.: 5NPEC4ABXDH710830]**

Docket 16

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Irene V Archuleta Pro Se

Trustee(s):

Richard A Marshack (TR) Pro Se

8:19-10477 Noemi Magana

Chapter 7

#2.00

Hearing RE: Pro se Reaffirmation Agreement Between Debtor And U.S. Bank National Association
(Motion filed 4/22/19)

**[RE: 2014 GMC Sierra - Amount: \$12,632.49]
[VIN No.: 3GTP1UEC0EG513323]**

Docket 9

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 12, 2019

Hearing Room 6C

10:00 AM

CONT... Noemi Magana

Chapter 7

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Noemi Magana

Pro Se

Trustee(s):

Richard A Marshack (TR)

Pro Se

8:19-10534 Sean M Eddleman

Chapter 7

#3.00

Hearing RE: Pro se Reaffirmation Agreement Between Debtor And ACAR Leasing LTD d/b/a GM Financial Leasing (Motion filed 4/16/19)

**[RE: 2017 GMC Trucks - Amount: \$16,390.40]
[VIN No.: 1GKS1FEC2HR285520]**

Docket 8

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 12, 2019

Hearing Room 6C

10:00 AM

CONT... Sean M Eddleman

Chapter 7

Debtor(s):

Sean M Eddleman

Represented By
Marlin Branstetter

Trustee(s):

Richard A Marshack (TR)

Pro Se

8:19-10684 Brett Christopher Nunno

Chapter 7

#4.00

Hearing RE: Reaffirmation Agreement Between Debtor And Capital One Auto Finance, A Division Of Capital One, N.A.
(Motion filed 5/15/19)

**[RE: 2012 Hyundai Accent 4 CYL Sedan 4D GLS - Amount: \$2,428.28]
[VIN No.: KMHCT4AE8CU040857]**

Docket 12

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will approve the agreement if Debtor is comfortable with a reaffirmation, the vehicle is insured and Debtor can make all the remaining payments.

Party Information

Debtor(s):

Brett Christopher Nunno

Represented By
Tina H Trinh

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

8:19-10875 Diane M Bolin

Chapter 7

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 12, 2019

Hearing Room 6C

10:00 AM

CONT...
#5.00

Diane M Bolin

Chapter 7

Hearing RE: Pro se Reaffirmation Agreement Between Debtor And American Honda Finance Corporation
(Motion filed 5/17/19)

**[RE: 2019 Honda Hr-V - Amount: \$26,105.75]
[VIN No.: 3CZRU5H36KG706468]**

Docket 10

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Diane M Bolin

Represented By
Marlin Branstetter

Trustee(s):

Thomas H Casey (TR)

Pro Se

8:19-11028 Aaron Gabriel Eversole

Chapter 7

#6.00

Hearing RE: Motion For Approval Of Reaffirmation Agreement With Bank Of America, N.A
(Motion filed 5/9/19)

[RE: 2004 Chevrolet Suburban #8053 - Amount: \$1,318.57]

Docket 9

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 12, 2019

Hearing Room 6C

10:00 AM

CONT... Aaron Gabriel Eversole

Chapter 7

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will approve if the vehicle is insured, Debtor is comfortable with a reaffirmation and Debtor believes he can make the remaining payments.

Party Information

Debtor(s):

Aaron Gabriel Eversole

Represented By
Heather J Canning

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 12, 2019

Hearing Room 6C

2:00 PM

8:18-13760 Juana Pierda Mondragon

Chapter 13

#1.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 4-10-19; 5-8-19

Docket 80

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Juana Pierda Mondragon

Represented By
Bryn C Deb

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

8:18-14611 Deena Cousar Brown

Chapter 13

#2.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 2-6-19; 5-8-19

Docket 19

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Deena Cousar Brown

Represented By
Brad Weil

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 12, 2019

Hearing Room 6C

2:00 PM

CONT... Deena Cousar Brown

Chapter 13

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

8:19-10274 Gabriel Garcia

Chapter 13

#3.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 4-10-19

Docket 31

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Gabriel Garcia

Represented By
Jaime A Cuevas Jr.

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

8:19-10578 John Wesley Wilson and Monnette Shiree Wilson

Chapter 13

#4.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 5-8-19

Docket 21

Tentative Ruling:

- NONE LISTED -

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 12, 2019

Hearing Room 6C

2:00 PM

CONT... **John Wesley Wilson and Monnette Shiree Wilson** Chapter 13

Party Information

Debtor(s):

John Wesley Wilson

Represented By
Christopher J Langley

Joint Debtor(s):

Monnette Shiree Wilson

Represented By
Christopher J Langley

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

8:19-10670 **Edgar Sebastian Vazquez and Ligia Vazquez**

Chapter 13

#5.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 5-8-19

Docket 2

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Edgar Sebastian Vazquez

Represented By
Christopher J Langley

Joint Debtor(s):

Ligia Vazquez

Represented By
Christopher J Langley

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 12, 2019

Hearing Room 6C

2:00 PM

CONT... **Edgar Sebastian Vazquez and Ligia Vazquez** **Chapter 13**

8:19-10738 **Alfredo Alvarado** **Chapter 13**

#6.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 5-8-19

Docket 20

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Alfredo Alvarado

Represented By
Norma Duenas

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

8:19-10788 **Eric Kennedy** **Chapter 13**

#7.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 5-8-19

Docket 18

Tentative Ruling:

- NONE LISTED -

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 12, 2019

Hearing Room 6C

2:00 PM

CONT... Eric Kennedy

Chapter 13

Debtor(s):

Eric Kennedy

Represented By
Andrew Nguyen

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

8:19-10840 Robert Steven Glass

Chapter 13

#8.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Robert Steven Glass

Represented By
Christopher J Langley

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

8:19-10929 Elizabeth Martin

Chapter 13

#9.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 29

Tentative Ruling:

- NONE LISTED -

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 12, 2019

Hearing Room 6C

2:00 PM

CONT... Elizabeth Martin Chapter 13

Party Information

Debtor(s):

Elizabeth Martin

Represented By
Amanda G Billyard

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

8:19-11122 Debra Bitetto

Chapter 13

#10.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 23

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Debra Bitetto

Represented By
Edmond Richard McGuire

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

8:19-11185 Christopher Douglass Plows and Robbin Marie Plows

Chapter 13

#11.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 18

Tentative Ruling:

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 12, 2019

Hearing Room 6C

2:00 PM

CONT... Christopher Douglass Plows and Robbin Marie Plows
- NONE LISTED -

Chapter 13

Party Information

Debtor(s):

Christopher Douglass Plows

Represented By
Rex Tran

Joint Debtor(s):

Robbin Marie Plows

Represented By
Rex Tran

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

8:19-11271 Nathan Christopher Harris

Chapter 13

#12.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 13

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Nathan Christopher Harris

Represented By
D Justin Harelik

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

8:19-11230 Dennis Edward Berglund

Chapter 13

#13.00

Hearing RE: Confirmation Of Chapter 13 Plan

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 12, 2019

Hearing Room 6C

2:00 PM

CONT... Dennis Edward Berglund

Chapter 13

Docket 0

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL FOR FAILURE TO FILE SCHEDULES, STATEMENTS,
AND/OR PLAN ENTERED 4-22-19 - (DOCKET NO. [7])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Dennis Edward Berglund Pro Se

Trustee(s):

Amrane (SA) Cohen (TR) Pro Se

8:19-10918 Larry Burnett

Chapter 13

#14.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL FOR FAILURE TO FILE SCHEDULES, STATEMENTS,
AND/OR PLAN ENTERED 4-1-19 - (DOCKET NO. [13])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Larry Burnett Pro Se

Trustee(s):

Amrane (SA) Cohen (TR) Pro Se

8:19-10937 Tracy Phuong- Dong Do

Chapter 13

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar

Wednesday, June 12, 2019

Hearing Room 6C

2:00 PM

CONT... Tracy Phuong- Dong Do

Chapter 13

#15.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

*** VACATED *** REASON: ORDER AND NOTICE OF DISMISSAL
FOR FAILURE TO FILE SCHEDULES, STATEMENTS, AND/OR PLAN
ENTERED 5-29-19 - (DOCKET NO. [22])

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Tracy Phuong- Dong Do

Represented By
Sunjay Bhatia

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

8:19-11159 Bridget Goddard

Chapter 13

#16.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

*** VACATED *** REASON: ORDER AND NOTICE OF DISMISSAL
FOR FAILURE TO FILE SCHEDULES, STATEMENTS, AND/OR PLAN
ENTERED - 5-29-19 - (DOCKET NO. [22])

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Bridget Goddard

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 12, 2019

Hearing Room 6C

2:00 PM

CONT... Bridget Goddard

Chapter 13

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 12, 2019

Hearing Room 6C

3:00 PM

8:14-15086 Alejandro Chavez and Francisca Ledesma Chavez

Chapter 13

#1.00

CONT'D Hearing RE: Trustee's Motion For Order Dismissing Chapter 13 Proceeding
[11 U.S.C. Section 1307(c)(6)]
(Motion filed 2/13/19)

FR: 4-10-19

Docket 73

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF
WITHDRAWAL OF TRUSTEE'S MOTION FILED 6-6-19 - (DOCKET NO.
[79])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Alejandro Chavez

Represented By
Bryn C Deb

Joint Debtor(s):

Francisca Ledesma Chavez

Represented By
Bryn C Deb

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

8:14-15805 Mario Montes and Leticia Montes

Chapter 13

#2.00

Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding
[11 USC 1307(c)(6)]
(Motion filed 4/10/19)

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 12, 2019

Hearing Room 6C

3:00 PM

CONT... Mario Montes and Leticia Montes
Docket 93

Chapter 13

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and dismiss the case.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Mario Montes

Represented By
Amanda G Billyard
Andy C Warshaw

Joint Debtor(s):

Leticia Montes

Represented By
Amanda G Billyard
Andy C Warshaw

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

8:14-15805 Mario Montes and Leticia Montes

Chapter 13

#3.00

Hearing RE: Motion Under Local Bankruptcy Rule 3015-1 (n) And (w) To Modify
Plan Or Suspend Plan Payments
(Motion filed 4/26/19)
(Set per Trustee's Comments filed 5/14/19)
(Notice of Hearing filed 5/14/19)

Docket 96

Tentative Ruling:

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 12, 2019

Hearing Room 6C

3:00 PM

**CONT... Mario Montes and Leticia Montes
APPEARANCES REQUIRED.**

Chapter 13

The Court will deny the motion for the reasons argued by the Chapter 13 Trustee. Debtors have failed to meet their burden in showing that the confirmation order is erroneous.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Mario Montes

Represented By
Amanda G Billyard
Andy C Warshaw

Joint Debtor(s):

Leticia Montes

Represented By
Amanda G Billyard
Andy C Warshaw

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

8:17-10047 Ronald Robert Deak and Aida Rosario Ganddini

Chapter 13

#4.00

CONT'D Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding For Failure To Make Plan Payments [11 U.S.C. 1307(c)]
(Motion filed 2/6/19)
(Opposition filed 3/6/19)
(Notice of Hearing filed 3/6/19)

FR: 5-8-19

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 12, 2019

Hearing Room 6C

3:00 PM

CONT... Ronald Robert Deak and Aida Rosario Ganddini

Chapter 13

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and dismiss the case.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Ronald Robert Deak

Represented By
Thomas E Brownfield

Joint Debtor(s):

Aida Rosario Ganddini

Represented By
Thomas E Brownfield

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

8:18-10560 Makali'i Paige Pawasarat

Chapter 13

#5.00

Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13
Proceeding For Failure To Make Plan Payments [11 U.S.C. 1307(c)]
(Motion filed 4/5/19)
(Opposition filed 4/22/19)

Docket 52

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and dismiss if Debtor is not current by the date of the hearing.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 12, 2019

Hearing Room 6C

3:00 PM

CONT... Makali'i Paige Pawasarat

Chapter 13

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Makali'i Paige Pawasarat

Represented By
Christopher J Langley

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

8:18-14535 Kirolous A. Awad and Maria Awad

Chapter 13

#6.00

Hearing RE: Motion Under Local Bankruptcy Rule 3015-1 (n) And (w) To Modify Plan Or Suspend Plan Payments
(Motion filed 5/15/19)
(Set per Trustee's Comments 5/16/19)

Docket 31

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will deny the motion for the reasons argued by the Chapter 13 Trustee. The Chapter 13 Trustee is correct that movants have failed to meet their burden of proof.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Kirolous A. Awad

Represented By
Tina H Trinh

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 12, 2019

Hearing Room 6C

3:00 PM

CONT... Kirolous A. Awad and Maria Awad

Chapter 13

Joint Debtor(s):

Maria Awad

Represented By
Tina H Trinh

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

8:18-14648 Stephen Lawrie

Chapter 13

#7.00

Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13
Proceeding For Failure To Make Plan Payments [11 U.S.C. 1307(c)]
(Motion filed 5/8/19)
(Response filed 5/9/19)
(Set per Notice of Hearing filed 5/9/19)

Docket 48

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire of the Trustee whether the motion is moot in view of the Court's May 29, 2019 order granting a plan modification motion.

Party Information

Debtor(s):

Stephen Lawrie

Represented By
Andy C Warshaw

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, June 17, 2019

Hearing Room 6C

9:00 AM

8:17-13058 Monica Lin Mathers

Chapter 13

#1.00

CONT'D Motion for relief from stay [Real Property]

JPMorgan Chase Bank, National Association vs. DEBTOR
(Motion filed 4/12/19)

[RE: 426 Emerson Street, Costa Mesa, CA 92627-2112]

FR: 5-6-19

Docket 33

***** VACATED *** REASON: OFF CALENDAR - SETTLED BY
STIPULATION AND ORDER ENTERED 5-21-19 - (DOCKET NO. [43])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Monica Lin Mathers

Represented By
Justin D Irish

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, June 17, 2019

Hearing Room 6C

9:00 AM

8:18-12262 Fidencio Avilez

Chapter 13

#2.00

Hearing RE: Motion for relief from stay [Real Property]

Deutsche Bank National Trust Company, As Trustee, On Behalf Of The Holders Of The Impac Secured Assets Corp. Mortgage Pass-Through Certificates Series 2007-2, Its Assignees And/Or Successors vs. DEBTOR
(Motion filed 5/17/19)

[RE: 1818 North Linwood Avenue, Santa Ana, CA 92705]

Docket 51

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1) only.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Fidencio Avilez

Represented By
Rebecca Tomilowitz

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, June 17, 2019

Hearing Room 6C

9:00 AM

8:18-13741 James Walter Seidel, Jr. and Molly Marie Seidel

Chapter 7

#3.00

Motion for relief from stay [Personal Property]

Santander Consumer USA Inc. dba Chrysler Capital As Servicer For CCAP Auto Lease LTD. vs. DEBTORS

(Motion filed 5/1/19)

(Amended Motion filed 5/1/19)

[RE: 2016 Jeep Wrangler - VIN 1C4BJWDG9GL206586]

Docket 47

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

James Walter Seidel Jr.

Represented By
Andrew S Bisom

Joint Debtor(s):

Molly Marie Seidel

Represented By
Andrew S Bisom

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, June 17, 2019

Hearing Room 6C

9:00 AM

8:19-10198 Allan Eli Gindi and Carol June Gindi

Chapter 11

#4.00

Motion for relief from stay [Real Property]

JPMorgan Chase Bank, National Association vs. DEBTORS
(Motion filed 5/15/19)

[RE: 6 Riverstone, Laguna Niguel, California 92677]

Docket 69

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will permit the Debtors' opposition to be treated as a timely-filed opposition notwithstanding late filing by six minutes. The neglect is excusable.

The Court will deny the motion without prejudice, noting that: (1) Movant's \$2 million claim is adequately protected by the subject property's \$3.5 million value; (2) Debtors have shown the subject property is necessary to a successful reorganization.

DEBTORS TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Allan Eli Gindi

Represented By
Michael R Totaro

Joint Debtor(s):

Carol June Gindi

Represented By
Michael R Totaro

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, June 17, 2019

Hearing Room 6C

9:00 AM

8:19-10402 Sepideh Sally Cirino

Chapter 11

#5.00

Hearing RE: Motion In Individual Case For Order Confirming Termination Of Stay Under 11 U.S.C. Section 362(c)(3) Or That No Stay Is In Effect Under 11 U.S.C. Section 362(c)(4)(A)(ii)
(Motion filed 5/8/19)

[RE: 27495 Hidden Trail Road, Laguna Hills, CA 92653]

Docket 37

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sepideh Sally Cirino

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, June 17, 2019

Hearing Room 6C

9:00 AM

8:19-10616 Robert Michael Elliott

Chapter 7

#6.00

Motion for relief from stay [Unlawful Detainer]

Rivers United, Inc., c/o USL Property Management, Inc. vs. DEBTOR
(Motion filed 5/3/19)

**[RE: 500 Sutter Street, Suite 510, San Francisco CA 94102]
[Nonresidential Property]**

Docket 11

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Robert Michael Elliott

Represented By
Renee Nasiri

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, June 17, 2019

Hearing Room 6C

9:00 AM

8:19-11218 US Direct LLC

Chapter 7

#7.00

Motion for relief from stay [Personal Property]

SCREEN GP Americas, LLC vs. DEBTOR
(Motion filed 4/30/19)

[RE: Equipment - True Press Jet 520ZZ Print System]

Docket 15

***** VACATED *** REASON: HEARING ADVANCED TO 6-12-19 2019
AT 9:00 A.M. PER ORDER SHORTENTING TIME ENTERED ON 5-28-19
(Docket No. [44])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

US Direct LLC

Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, June 17, 2019

Hearing Room 6C

9:00 AM

8:19-11605 Franco De Rosa

Chapter 7

#8.00

Motion for relief from stay [Unlawful Detainer]

SRPP II LP vs. DEBTOR
(Motion filed 5/17/19)

[RE: 930 W Balboa Boulevard., Newport Beach, CA 92661]

Docket 13

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Franco De Rosa

Pro Se

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, June 17, 2019

Hearing Room 6C

9:00 AM

8:19-11689 Kelly A. Lomeland

Chapter 7

#9.00

Motion for relief from stay [Personal Property]

Cab West LLC vs. DEBTOR
(Motion filed 5/8/19)

[RE: 2017 Ford Fusion - VIN No.: 3FA6P0HDXHR368118]

Docket 8

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Kelly A. Lomeland

Represented By
Michael G Spector

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, June 17, 2019

Hearing Room 6C

9:00 AM

8:19-11792 Stanley Allan Pope

Chapter 13

#10.00

Motion for relief from stay [Personal Property]

Crossroads Equipment Lease & Finance, LLC vs. DEBTOR
(Motion filed 5/14/19)

[RE: 2017 Volvo Tractor Semi Truck - VIN No.: 4V4NC9EH9DN562086]

Docket 9

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Stanley Allan Pope	Pro Se
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Trustee(s):

Amrane (SA) Cohen (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, June 17, 2019

Hearing Room 6C

9:00 AM

8:19-11874 Eric Allen Edborg

Chapter 7

#11.00

Motion for relief from stay [Unlawful Detainer]

Eric Hart vs. DEBTOR
(Motion filed 5/23/19)

[RE: 31261 Brooks St, Laguna Beach, CA 92651]

Hearing
RE: [17] Notice of motion and motion for relief from the automatic stay with supporting declarations UNLAWFUL DETAINER RE: 31261 Brooks Street, Laguna Beach CA 92651 . (Sontag, Richard)

Docket 17

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Eric Allen Edborg

Pro Se

Movant(s):

Eric Hart

Represented By
Richard Sontag

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, June 17, 2019

Hearing Room 6C

9:00 AM

8:19-11703 Michael A. Souza

Chapter 13

#12.00

Motion for relief from stay [Personal Property]

Bank Of The West vs. DEBTOR
(Motion filed 5/24/19)

**[RE: 2015 Winnebago Adventure Motorhome
VIN No.: 3FA6P0HDXHR368118]**

Docket 20

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Michael A. Souza

Represented By
James D. Hornbuckle

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, June 17, 2019

Hearing Room 6C

2:00 PM

8:18-10013 Fred Asafu-Adjaye and Esther Asafu-Adjaye

Chapter 11

#1.00

Hearing RE: Debtor's Objection To Claim:
(Motion filed 4/30/19)

Claim No. 6	Wells Fargo Bank, N.A. d/b/a Wells Fargo Dealer Services	\$15,725.00
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Docket 94

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and sustain the objection and disallow Claim No. 6 of Wells Fargo Bank, N.A. in its entirety.

DEBTORS/ DEBTORS IN POSSESSION TO LODGE ORDER VIA LOU WITHIN
7 DAYS.

Party Information

Debtor(s):

Fred Asafu-Adjaye

Represented By
Lionel E Giron
Crystle Jane Lindsey

Joint Debtor(s):

Esther Asafu-Adjaye

Represented By
Lionel E Giron
Crystle Jane Lindsey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, June 17, 2019

Hearing Room 6C

2:00 PM

8:18-11792 Modern VideoFilm, Inc.

Chapter 11

Adv#: 8:18-01084 Modern VideoFilm, Inc. v. Barkat et al

#2.00

Hearing RE: Motion To Approve Stipulation RE Production Of Documents By Managease, Inc. Pursuant To Local Rule 9013-1(o)
(Motion filed 10/19/18)
(Set per Order Entered 4/2/19)

Docket 78

Tentative Ruling:

APPEARANCES REQUIRED.

Federal Rule of Civil Procedure 26 applies in this adversary proceeding. Fed. R. Bankr. P. 7026. Rule 26(b)(1), defining the scope of discovery, provides in relevant part that "[p]arties may obtain discovery regarding any nonprivileged matter . . ." Thus, privileged matter is not ordinarily discoverable.

Federal Rule of Evidence 501 generally provides that "[t]he common law – as interpreted by United States courts in the light of reason and experience – governs a claim of privilege . . ."

Interpreting the common law in the light of reason and experience, the United States District Court for the Central District of California has determined that communications to a mediator and communications between parties during a mediation are privileged under Federal Rule of Evidence 501, as are communications in preparation for and during the course of a mediation. *Folb v. Motion Picture Indus. Pension & Health Plans*, 16 F. Supp. 2d 1164, 1170-80 (C.D. Cal. 1997 (Paez, J.); cf. *Citizens Dev. Corp. v. Cty. Of San Diego*, 2019 U.S. Dist. LEXIS 5713 (S.D. Cal., Jan. 11, 2019).

Here, debtor and debtor in possession Modern VideoFilm, Inc. seeks discovery of materials relating to a mediation before a neutral (namely, a JAMS mediator) between

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, June 17, 2019

Hearing Room 6C

2:00 PM

CONT... Modern VideoFilm, Inc.

Chapter 11

Mr. Barkat, the parent of Modern VideoFilm, Inc. (brought derivatively on behalf of Modern Videofilm, Inc.) and Managease, Inc. Modern VideoFilm, Inc. proposes to use these materials in prosecution of a claim against Mr. Barkat that he wrongfully appropriated settlement proceeds paid by Managease, Inc. that allegedly should have been paid to Modern VideoFilm, Inc.

Modern VideoFilm, Inc. seeks to distinguish *Folb* on the ground that in *Folb* the party seeking discovery was not a party to the mediation whereas here Modern VideoFilm, Inc. was a party to the mediation. This is a distinction without a difference. Parties to a mediation, especially a failed mediation, typically have a powerful interest in ensuring that statements made by them during the course of a mediation not be used against them when the matter goes to trial. Additionally (and perhaps even more to the point), they would have a powerful interest in ensuring that statements made by them to the mediator – and not known by the opposing party – not be discovered by the opposing party. In short, everything else being equal, parties to a mediation generally would seem to have just as much and probably more interest in asserting mediation privilege against another party to the mediation than against a third party who did not participate in the mediation.

The material Modern VideoFilm, Inc. seeks is privileged under *Folb*. The motion for a protective order is granted.

Party Information

Debtor(s):

Modern VideoFilm, Inc.

Represented By
Garrick A Hollander
Andrew B Levin
Peter W Lianides

Defendant(s):

Moshe Barkat

Represented By
Juliet Y Oh
David L. Neale
Christopher D Beatty

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, June 17, 2019

Hearing Room 6C

2:00 PM

CONT... Modern VideoFilm, Inc.

Chapter 11

Modern VideoFilm Holdings, LLC

Represented By
Juliet Y Oh
David L. Neale
Christopher D Beatty

Sidan Engineering, L.P.

Represented By
David L. Neale
Christopher D Beatty

Sivan Barkat Sherman

Represented By
David L. Neale
Christopher D Beatty

Danielle Barkat Turner

Represented By
David L. Neale
Christopher D Beatty

Deborah Barkat

Represented By
David L. Neale
Christopher D Beatty

Plaintiff(s):

Modern VideoFilm, Inc.

Represented By
Garrick A Hollander
Richard H Golubow

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, June 17, 2019

Hearing Room 6C

2:00 PM

8:19-10198 Allan Eli Gindi and Carol June Gindi

Chapter 11

#3.00

Hearing RE: Debtors And Debtors In Possessions' Motion For Order Extending Exclusivity Period For Debtors To File Plan Of Reorganization And Obtain Accetances Thereof, And To Extend Time To File Chapter 11 Plan Of Reorganization
(Motion filed 5/1/19)

Docket 62

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the hearing to June 24, 2019 at 2:00 p.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Allan Eli Gindi

Represented By
Michael R Totaro

Joint Debtor(s):

Carol June Gindi

Represented By
Michael R Totaro

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, June 17, 2019

Hearing Room 6C

2:00 PM

8:19-10212 Hill Concrete Structures

Chapter 11

#4.00

Hearing RE: Motion For Order Approving Sale Of Property Of The Estate
(Moton filed 5/3/19)

Docket 44

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

DEBTOR/ DEBTOR IN POSSESSION TO LODGE ORDER VIA LOU WITHIN 7
DAYS.

Party Information

Debtor(s):

Hill Concrete Structures

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, June 17, 2019

Hearing Room 6C

2:00 PM

8:19-11130 Vanessa Doreen Barillas

Chapter 7

#5.00

Hearing RE: Motion By United States Trustee To Determine Whether Compensation Paid To Counsel Was Excessive Under 11 U.S.C. Section 329 And F.R.B.P. Rule 2017 (Motion filed 5/15/19)

Docket 14

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion. Debtor's counsel's attendance at the § 341(a) meeting is not optional or elective. LBR 2090-1(a)(3)(B). Debtor has no authority to waive compliance with the LBR. The Court will order disgorgement of \$300.00.

UNITED STATES TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Vanessa Doreen Barillas

Represented By
Julie A Duncan

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, June 18, 2019

Hearing Room 225

2:00 PM

6:09-14254 Fleetwood Enterprises, Inc.

Chapter 11

#1.00

Hrg on Post-Confirmation Status Conference

(Advanced from 6/19/19 calendar)

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court found the Liquidating Trustee's Status Report extremely helpful in terms of enabling the Court to understand the current status of the case.

Next status conference: December 12, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Fleetwood Enterprises, Inc.

Represented By
Craig Millet
Solmaz Kraus
Anne A Uyeda
William C Bollard
James P Menton JR
Richard K Hines

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, June 18, 2019

Hearing Room 225

2:00 PM

6:09-14254 Fleetwood Enterprises, Inc.

Chapter 11

#2.00

Hrg on Liquidating Trustee's Notice of Second Motion and Second Motion for Entry of an Order Approving Re-Allocation of Unclaimed Distributions to Net Distributable Proceeds; Memorandum of Points and Authorities; Declaration of Peter S. Kravitz in Support Thereof

Docket 4834

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

LIQUIDATING TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Fleetwood Enterprises, Inc.

Represented By
Craig Millet
Solmaz Kraus
Anne A Uyeda
William C Bollard
James P Menton JR
Richard K Hines

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, June 18, 2019

Hearing Room 225

2:00 PM

6:19-13243 John Vincent Garcia and Terra Nicole Garcia

Chapter 7

#3.00

Hrg. on Debtor's Motion to vacate dismissal

Docket 11

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

John Vincent Garcia	Pro Se
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Joint Debtor(s):

Terra Nicole Garcia	Pro Se
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Trustee(s):

Steven M Speier (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Wednesday, June 19, 2019

Hearing Room 225

9:00 AM

6:09-14254 Fleetwood Enterprises, Inc.

Chapter 11

#1.00

Hrg on Post-Confirmation Status Conference

Docket 0

***** VACATED *** REASON: Advanced to 6/18/19 @ 2:00 p.m. by order
signed on 6/10/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Fleetwood Enterprises, Inc.

Represented By
Craig Millet
Solmaz Kraus
Anne A Uyeda
William C Bollard
James P Menton JR
Richard K Hines

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 19, 2019

Hearing Room 6C

9:00 AM

8:18-10905 Michael William Devine
Adv#: 8:18-01121 Getson et al v. Devine

Chapter 7

#2.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint To Determine The Dischargeability Of Debt Pursuant To 11 U.S.C. Section 523(a)(2)(a) Complaint filed 6/29/18)
(PTC set at S/C held 3/13/19)

FR: 9-19-18; 3-13-19

Docket 1

***** VACATED *** REASON: CONTINUED TO DECEMBER 18, 2019
AT 9:00 A.M. AS A STATUS CONFERENCE PER ORDER STIPULATION
TO CONTINUE ENTERED 6-7-19 - (DOCKET NO. [16])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael William Devine

Represented By
Christopher J Langley

Defendant(s):

Michael William Devine

Pro Se

Plaintiff(s):

Todd Lansinger

Represented By
Mitchell B Hannah

Lisa Getson

Represented By
Mitchell B Hannah

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 19, 2019

Hearing Room 6C

9:00 AM

8:19-10212 Hill Concrete Structures

Chapter 11

#3.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 1/18/19)

FR: 3-20-19

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into (1) compliance with U.S. Trustee guidelines and requirements and (2) Debtor's plans with respect to landing new construction contracts.

Next status conference: November 13, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Hill Concrete Structures

Represented By
Michael Jones

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 19, 2019

Hearing Room 6C

9:00 AM

8:19-10692 Naveed K Fazli

Chapter 13

Adv#: 8:19-01056 Fazli v. NATIONSTAR MORTGAGE, LLC et al

#4.00

STATUS CONFERENCE Hearing RE: Complaint:
(1) To Determine The Extent And Validity Or Lien On Real Property; And
(2) For Declaratory Relief
(Complaint filed 3/29/19)

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER GRANTING
MOTION TO DISMISS COMPLAINT ENTERED 6-7-19 (DOCKET NO.
[10])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Naveed K Fazli	Pro Se
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Defendant(s):

Amrane Cohen	Pro Se
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TEAM OAK	Pro Se
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CAPITAL VENTURES	Pro Se
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RANCHO ENTERPRISE	Pro Se
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SUNSET VENTURES	Pro Se
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RIDGE GROUP	Pro Se
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NEXUS POINTE	Pro Se
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WORK FORCE PARTNERS	Pro Se
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BEST CO INVESTMENTS	Pro Se
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AMERIPRISE SERVICES	Pro Se
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 19, 2019

Hearing Room 6C

9:00 AM

CONT... Naveed K Fazli Chapter 13

INVEST POINTE Pro Se

THE MAXWELL GROUP Pro Se

FIRST LINE DEVELOPMENT Pro Se

REDLINE FUNDING Pro Se

CRESCENT HOLDINGS Pro Se

T.L. BEACH LTD Pro Se

Jason Andrews Pro Se

HSBC Bank USA, National Pro Se

NATIONSTAR MORTGAGE, LLC Pro Se

PRIME VENTURES Pro Se

Plaintiff(s):

Naveed Fazli

Represented By
Jonathan A Michaels

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 19, 2019

Hearing Room 6C

9:00 AM

8:19-11375 SoCal REO Acquisitions Group LLC

Chapter 11

#5.00

STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case; And (2) Requiring Report On Status Of Chapter 11 Case (Petition filed 4/15/19)

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into Debtor's compliance with U.S. Trustee guidelines and requirements. The earliest date on which the Court will set deadlines for filing a plan and disclosure statement and for confirming a plan will be set at the next status conference.

Next status conference: November 13, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

SoCal REO Acquisitions Group LLC

Represented By
Nima S Vokshori

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 19, 2019

Hearing Room 6C

9:00 AM

8:18-11759 Chester C Davenport

Chapter 7

Adv#: 8:18-01155 Naylor v. Sun et al

#6.00

CONT'D STATUS CONFERENCE Hearing RE: Chapter 7 Trustee's First Amended Complaint Against Bianca Sun And Yan Yu Sun For:

- (1) Imposition Of Resulting Trust;
 - (2) Imposition Of Constructive Trust;
 - (3) Avoidance Of Actual Intent Fraudulent Transfer Under 11 U.S.C. Section 548(a)(1)(A) Of An Interest In Real Property;
 - (4) Avoidance Of Constructive Fraudulent Transfer Under 11 U.S.C. Section 548(a)(1)(B) Of An Interest In Real Property;
 - (5) Avoidance Of Preferential Transfer Under 11 U.S.C. Section 547;
 - (6) Avoidance Of Actual Intent Fraudulent Transfer Under 11 U.S.C. Section 544 And 28 U.S.C. Section 3304 Of An Interest In Real Property;
 - (7) Recovery Of Transfers from Bianca Of An Interest In Real Property Per 11 U.S.C. Section 550;
 - (8) Recovery Of Transfer from Yan Of An Interest In Real Property Per 11 U.S.C. Section 550;
 - (9) Judgment Quieting Title;
 - (10) Declaratory Relief;
 - (11) Turnover Of Rental Value Pursuant To 11 U.S.C. Section 542;
 - (12) Turnover Of Interest In Real Property Which Is Property Of The Estate Pursuant To 11 U.S.C. Section 542;
 - (13) Avoidance Of Post-Petition Transfer Pursuant To 11 U.S.C. Section 549(a) Against Bianca Regarding 2014 Land Rover;
 - (14) Avoidance Of Actual Intent Fraudulent Transfer Under 11 U.S.C. Sections 548, 550 And CCCP Section 3439 Et Seq Against Bianca Regarding 2014 Land Rover;
 - (15) Avoidance Of Constructive Fraudulent Transfer Under 11 U.S.C. Sections 544, 548 And CCCP Section 3439 Et Seq Against Bianca Regarding 2014 Land Rover; And,
 - (16) Recovery Of Transfer Of An Interest In A 2014 Land Rover Per 11 U.S.C. Section 550
- (Complaint filed 8/3/18)
(Amended Complaint filed 3/25/19)
(Summons Issued On Amended Complaint On 3/25/19)

FR: 10-24-18; 3-27-19

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 19, 2019

Hearing Room 6C

9:00 AM

CONT... Chester C Davenport

Chapter 7

Docket 1

***** VACATED *** REASON: CONTINUED TO JULY 17, 2019 AT 9:00
A.M. PER ORDER GRANTING MOTION TO CONTINUE STATUS
CONFERENCE ENTERED 3-26-19 - (DOCKET NO. [46])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Chester C Davenport

Represented By
Jing Wang

Defendant(s):

Yan Yu Sun

Pro Se

Bianca Sun

Pro Se

Plaintiff(s):

Karen Sue Naylor

Represented By
Thomas H Casey

Trustee(s):

Karen S Naylor (TR)

Represented By
Kathleen J McCarthy
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 19, 2019

Hearing Room 6C

9:00 AM

8:18-11792 Modern VideoFilm, Inc.

Chapter 11

Adv#: 8:18-01084 Modern VideoFilm, Inc. v. Barkat et al

#7.00

CONT'D STATUS CONFERENCE Hearing RE: First Amended Complaint For Judgment:

- (1) Compelling Turnover Of Estate Property;
 - (2) For Conversion
 - (3) Avoiding Fraudulent Transfers;
 - (4) Recovering Avoided Transfers;
 - (5) Breach of Fiduciary Duty/Defalcation; And;
 - (6) Injunctive Relief
- (Complaint filed 5/16/18)
(First Amended Complaint filed 6-5-18)
(Another Summons issued 6/6/18)

FR: 8-8-18; 8-29-18

Docket 1

***** VACATED *** REASON: CONTINUED TO AUGUST 21, 2019 AT
9:00 A.M. PER AMENDED SCHEDULING ORDER ENTERED 3-6-19 -
(DOCKET NO. [104])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Modern VideoFilm, Inc.

Represented By
Garrick A Hollander

Defendant(s):

Deborah Barkat

Pro Se

Danielle Barkat Turner

Pro Se

Sivan Barkat Sherman

Pro Se

Sidan Engineering, L.P.

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 19, 2019

Hearing Room 6C

9:00 AM

CONT... Modern VideoFilm, Inc. Chapter 11

Modern VideoFilm Holdings, LLC Pro Se

Moshe Barkat Pro Se

Plaintiff(s):

Modern VideoFilm, Inc.

Represented By
Garrick A Hollander

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 19, 2019

Hearing Room 6C

9:00 AM

8:18-14544 Edward Dennis Liege

Chapter 7

Adv#: 8:19-01053 LBS Financial CU, a California corporation v. Liege

#8.00

STATUS CONFERENCE Hearing RE: Complaint To Determine Dischargeability
Of Debt
[11 U.S.C.A. Section 523]
(Complaint filed 3/25/19)

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER GRANTING
REQUEST FOR DISMISSAL OF ADVERSARY PROCEEDING ENTERED
4-23-19 (DOCKET NO. [8])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Edward Dennis Liege Pro Se

Defendant(s):

Edward Dennis Liege Pro Se

Joint Debtor(s):

Nadezhda Marie Liege Pro Se

Plaintiff(s):

LBS Financial CU, a California Represented By
Karel G Rocha

Trustee(s):

Karen S Naylor (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 19, 2019

Hearing Room 6C

2:00 PM

8:16-11202 QF Liquidation Inc.

Chapter 11

#1.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 case
(Petition filed 3/22/16)

FR: 6-1-16; 8-24-16; 10-12-16; 1-25-17; 2-8-17; 5-31-17; 10-18-17; 1-31-18;
5-2-18; 7-25-18; 11-14-18; 4-17-19

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will inquire into the Debtor's compliance with U.S. Trustee guidelines and requirements.

Next status conference: November 27, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

QF Liquidation Inc.

Represented By
Marshall J Hogan
Victor A Vilaplana

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 19, 2019

Hearing Room 6C

2:00 PM

8:16-11202 QF Liquidation Inc.

Chapter 11

#2.00

Hearing RE: Confirmation Of Second Amended Plan Of Liquidation Of The Debtor Under Chapter 11 Of The Bankruptcy Code
(Second Amended Plan filed 3/26/19)
(Confirmation hearing set at D.S. hearing held 3/27/19)

FR: 1-23-19; 2-27-19; 3-27-19

Docket 646

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will confirm Debtor's Second Amended Plan of Liquidation.

DEBTOR TO LODGE (1) FINDINGS OF FACT AND CONCLUSIONS OF LAW AND (2) A CONFIRMATION ORDER WITHIN 10 DAYS.

Party Information

Debtor(s):

QF Liquidation Inc.

Represented By
Marshall J Hogan
Victor A Vilaplana

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 19, 2019

Hearing Room 6C

2:00 PM

8:18-10013 Fred Asafu-Adjaye and Esther Asafu-Adjaye

Chapter 11

#3.00

Hearing RE: Adequacy Of Disclosure Statement Describing Debtors' Chapter 11 Plan Of Reorganization Dated April 30, 2019 (D.S. filed 4/30/19)

Docket 97

Tentative Ruling:

APPEARANCES REQUIRED.

The Court has numerous comments on the disclosure statement and will likely require another iteration of it before the Court can approve it. Additionally, the Court agrees with nearly all of the U.S. Trustee's comments and objections.

The date of the next status conference is to be determined.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Fred Asafu-Adjaye

Represented By
Lionel E Giron
Crystle Jane Lindsey

Joint Debtor(s):

Esther Asafu-Adjaye

Represented By
Lionel E Giron
Crystle Jane Lindsey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 19, 2019

Hearing Room 6C

2:00 PM

8:18-10013 Fred Asafu-Adjaye and Esther Asafu-Adjaye

Chapter 11

#4.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 1/3/18)

FR: 3-7-18, 7-11-18; 10-24-18;11-14-18; 12-12-18; 5-8-19

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into the Debtors' compliance with U.S. Trustee guidelines and requirements.

The date of the next status conference is to be determined.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Fred Asafu-Adjaye

Represented By
Kevin Tang

Joint Debtor(s):

Esther Asafu-Adjaye

Represented By
Kevin Tang

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, June 20, 2019

Hearing Room 225

9:00 AM

6:16-13150 Paul Gregory Katona

Chapter 7

Adv#: 6:17-01221 United States Trustee for the Central District of v. Katona et al

#1.00

PRE-TRIALCONFERENCE re: Complaint by United States Trustee for the Central District of California, Region 16 against Paul Gregory Katona, Gail Marie Katona. (Fee Not Required). with adversary cover sheet Nature of Suit: (41 (Objection / revocation of discharge - 727(c),(d),(e)))

(Cont. from 3/21/19)

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will approve the proposed Joint Pretrial Stipulation and set trial for ~~October 28-30~~ **July 1-2, 2019** in Santa Ana. Plaintiff and Defendants shall have have 1.5 days to present their case.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Paul Gregory Katona

Represented By
Douglas A Plazak

Defendant(s):

Paul Gregory Katona

Represented By
Douglas A Plazak

Gail Marie Katona

Represented By
Douglas A Plazak

Joint Debtor(s):

Gail Marie Katona

Represented By
Douglas A Plazak

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, June 20, 2019

Hearing Room 225

9:00 AM

CONT... Paul Gregory Katona

Chapter 7

Plaintiff(s):

United States Trustee for the Central

Represented By
Everett L Green

Trustee(s):

John P Pringle (TR)

Represented By
Lynda T Bui
Rika Kido
Brianna L Frazier

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, June 20, 2019

Hearing Room 225

9:00 AM

6:16-13150 Paul Gregory Katona

Chapter 7

Adv#: 6:17-01221 United States Trustee for the Central District of v. Katona et al

#2.00

Hrg. on U.S. Trustee's Motion filed 3/1/19 for an Order Imposing Evidentiary Sanctions & Excluding Trial Testimony of Certain Witnesses pursuant to Federal Rule of Bankruptcy Procedure 7037 and Federal Rule of Civil Procedure 37

(Cont. from 3/21/19)

Docket 23

*** VACATED *** REASON: Order entered on 4/10/19 - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Paul Gregory Katona

Represented By
Douglas A Plazak

Defendant(s):

Paul Gregory Katona

Represented By
Douglas A Plazak

Gail Marie Katona

Represented By
Douglas A Plazak

Joint Debtor(s):

Gail Marie Katona

Represented By
Douglas A Plazak

Plaintiff(s):

United States Trustee for the Central

Represented By
Everett L Green

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, June 20, 2019

Hearing Room 225

9:00 AM

CONT... Paul Gregory Katona

Chapter 7

Trustee(s):

John P Pringle (TR)

Represented By

Lynda T Bui

Rika Kido

Brianna L Frazier

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, June 20, 2019

Hearing Room 225

9:00 AM

6:16-20446 BioData Medical Laboratories, Inc.

Chapter 11

Adv#: 6:16-01299 BioData Medical Laboratories, Inc. v. Merchant Cash & Capital, LLC.

#3.00

PRE-TRIAL CONFERENCE re: Complaint by BioData Medical Laboratories, Inc. against Merchant Cash & Capital, LLC.. (Charge To Estate). Nature of Suit: (12 (Recovery of money/property - 547 preference)),(13 (Recovery of money/property - 548 fraudulent transfer)),(72 (Injunctive relief - other)),(91 (Declaratory judgment))

(Con't from 2/28/19)

Docket 1

***** VACATED *** REASON: Cont. to 8/22/19 @ 9:00 a.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

BioData Medical Laboratories, Inc.

Represented By
Robert M Yaspan

Defendant(s):

Merchant Cash & Capital, LLC.

Pro Se

Plaintiff(s):

BioData Medical Laboratories, Inc.

Represented By
Robert M Yaspan

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, June 20, 2019

Hearing Room 225

9:00 AM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

Adv#: 6:17-01273 Havasu Lakeshore Investments v. Fleming, Jr et al

#4.00

PRE-TRIAL CONFERENCE Hearing RE: lawsuit pending in State Court to
Bankruptcy Court
(Notice of Removal filed 12/13/17)

**[RE: Superior Court Of The State Of California For The County Of Orange,
Case No 30-2015-00805846-CU-FRCJC]
[Case: Havasu Lakeshore Investments, LLC v. Terry L. Fleming, Sr. et al.,]**

(Cont. from 4/11/19)

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into the status of this case in view of the confirmation of the plan.

The date of the next status conference is to be determined.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

Defendant(s):

Terry Lee Fleming Jr

Represented By
Michael B Reynolds
James E Till

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, June 20, 2019

Hearing Room 225

9:00 AM

CONT... **Terry Lee Fleming, Sr**
 Patricia Wilson-Fleming

Chapter 11

Represented By
 Randall S Waier

Havasu Landing LLC

Represented By
 Michael B Reynolds
 James E Till

Terry Lee Fleming Sr

Represented By
 James E Till
 Michael B Reynolds

Plaintiff(s):

Havasu Lakeshore Investments

Represented By
 Martin A Eliopulos

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, June 20, 2019

Hearing Room 225

9:00 AM

6:18-16573 Shelly Lynn Tholander-Turner
Adv#: 6:18-01229 Grobstein v. Humphries

Chapter 7

#5.00

STATUS CONFERENCE re: Complaint by Howard B. Grobstein against Suzanne Humphries. (Charge To Estate). (\$350.00) - Complaint for: (1) Avoidance of Fraudulent Transfer; (2) Recovery of Avoided Transfers; (3) for Declaratory Relief; and (4) Turnover of Property - Nature of Suit: (11 (Recovery of money/property - 542 turnover of property)),(13 (Recovery of money/property - 548 fraudulent transfer)),(14 (Recovery of money/property - other))

(Cont. from 2/21/19)

Docket 1

***** VACATED *** REASON: Continued to 8/22/19 @ 9:00 a.m. by order signed on 6/11/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Shelly Lynn Tholander-Turner

Represented By
Robert L Firth

Defendant(s):

Suzanne Humphries

Represented By
George A Bilal

Plaintiff(s):

Howard B. Grobstein

Represented By
Anthony A Friedman

Trustee(s):

Howard B Grobstein (TR)

Represented By
Anthony A Friedman

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, June 20, 2019

Hearing Room 225

9:00 AM

6:18-16636 Littlefield Physical Therapy, Inc.

Chapter 11

#6.00

Hrg. on Chapter 11 Status Conference

(Cont. from 4/11/19)

Docket 0

***** VACATED *** REASON: CASE DISMISSED 5/10/19 - slh**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Littlefield Physical Therapy, Inc.

Represented By
Evan L Smith

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, June 20, 2019

Hearing Room 225

9:00 AM

6:18-17439 Robert Mansour Hamzey, Jr.

Chapter 7

Adv#: 6:18-01221 Hardt, Jr v. Hamzey, Jr. et al

#7.00

STATUS CONFERENCE re complaint for recovery of money/property pursuant to 11 U.S.C. Section 548 and Nondischargeability of debt 1 U.S.C. Section 523(A)(4)

(Cont. from 4/18/19)

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the status conference to **August 8, 2019** at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Robert Mansour Hamzey Jr.

Represented By
Daniel C Sever

Defendant(s):

Robert Mansour Hamzey Jr.

Pro Se

Marie Ann Hamzey

Pro Se

Joint Debtor(s):

Marie Ann Hamzey

Represented By
Daniel C Sever

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, June 20, 2019

Hearing Room 225

9:00 AM

CONT... Robert Mansour Hamzey, Jr.

Chapter 7

Plaintiff(s):

William Joseph Hardt Jr Pro Se

Trustee(s):

Charles W Daff (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, June 20, 2019

Hearing Room 225

10:00 AM

6:19-11474 Jacqueline Elizabeth Villegas

Chapter 7

#1.00

Hrg. on Approval of Reaffirmation Agreement Between Debtor and SchoolsFirst Federal Credit Union, in the amount of \$8131.66

Re: 2014 Nissan Altima

Docket 10

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Jacqueline Elizabeth Villegas

Pro Se

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, June 20, 2019

Hearing Room 225

10:00 AM

6:19-11841 Deland George Lupson, Jr.

Chapter 7

#2.00

Hrg. on Approval of Reaffirmation Agreement filed 5/3/19 Between Debtor and Santander Consumer USA Inc., in the amount of \$14,404.79

Docket 12

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Deland George Lupson Jr.

Represented By
Daniel King

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, June 20, 2019

Hearing Room 225

10:00 AM

6:19-12226 Lyle Paul Copeland

Chapter 7

#3.00

Hrg. on Approval of Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation, in the amount of \$4,474.30

Re: 2015 Toyota Prius

Docket 13

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as imposing an undue hardship given that Debtor's monthly income is less than the monthly payment on the subject indebtedness.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Lyle Paul Copeland

Pro Se

Trustee(s):

John P Pringle (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, June 20, 2019

Hearing Room 225

10:00 AM

6:19-12954 Mario A Castro and Maria De Los Angeles Castro

Chapter 7

#4.00

Hrg. on Approval of Reaffirmation Agreement filed 5/21/19 Between Debtor and Alaska USA Federal Credit Union, in the amount of \$24,296.44

Re: 2017 Chrysler Pacifica

Docket 7

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtors' best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Mario A Castro	Pro Se
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Joint Debtor(s):

Maria De Los Angeles Castro	Pro Se
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Trustee(s):

Lynda T. Bui (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, June 20, 2019

Hearing Room 225

10:00 AM

6:19-12991 Felipe Padilla and Patricia Galvan De Padilla

Chapter 7

#5.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation, in the amount of 35,091.86

Re: 2018 Toyota Tacoma

Docket 11

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtors' best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Felipe Padilla

Represented By
Daniel King

Joint Debtor(s):

Patricia Galvan De Padilla

Represented By
Daniel King

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, June 20, 2019

Hearing Room 225

10:00 AM

6:19-13489 Linda Martin

Chapter 7

#6.00

Hrg on Approval of Reaffirmation Agreement filed 5/23/19 Between Debtor and TD Auto Finance LLC, in the amount of \$14,944.94

Re: 2017 Mitsubishi Outlander

Docket 9

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Linda Martin

Represented By
Michael E Clark

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, June 20, 2019

Hearing Room 225

10:00 AM

6:19-13671 DeVon Dejuan Dunham

Chapter 7

#7.00

Hrg. on Approval of Reaffirmation Agreement with Water and Power
Community Credit Union, in the amount of \$481.24

Docket 8

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

DeVon Dejuan Dunham

Represented By
Shawn Anthony Doan

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, June 20, 2019

Hearing Room 225

10:00 AM

6:19-13671 DeVon Dejuan Dunham

Chapter 7

#8.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and Water and Power Community Credit Union, in the amount of \$9095.80

Docket 10

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

DeVon Dejuan Dunham

Represented By
Shawn Anthony Doan

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, June 20, 2019

Hearing Room 225

2:00 PM

6:16-15248 Murray Altman

Chapter 11

#1.00

Hrg. on Chapter 11 Status Conference

(Cont. from 3/12/19)

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into compliance with U.S. Trustee guidelines and requirements.

The date of the next status conference is to be determined.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, June 20, 2019

Hearing Room 225

2:00 PM

6:16-15248 Murray Altman

Chapter 11

#2.00

Hrg. on Confirmation on Chapter 11 Plan

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court first addresses Creditor Angie Shin's evidentiary objection to Debtor's ballot filed for DSF. The Court agrees with Ms. Shin's analysis. Ms. Shin owns the right to compel Debtor to pay money to DSF in partial satisfaction of the Superior Court judgment. Therefore, only Ms. Shin could cast a ballot with respect to this claim of DSF. The Court strikes the ballot that Debtor cast for DSF.

MS. SHIN TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

The Court will rule on the remaining evidentiary objections to filed declarations and permit cross-examination of declarants, starting with Mr. Turner. Each person who executed a declaration in support of or in opposition to plan confirmation must be present. Given then number of declarants, it is likely the confirmation hearing will carry over to the subsequent day.

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Friday, June 21, 2019

Hearing Room 6C

10:00 AM

8:19-12375 South Coast Behavioral Health, Inc.

Chapter 11

#1.00

Hearing RE: Emergency Motion Of Debtor And Debtor In Possession For An Order: (1) Directing All Insurance Companies And Other Parties Owing Funds To Debtor To Remit Payments To Debtor; (2) Authorizing Use Of Cash Collateral On An Interim Basis; (3) Granting Replacement Liens; (4) Scheduling A Final Hearing On Permanent Use Of Cash Collateral; and (5) After Hearing, Authorizing Permanent use Of Cash Collateral
(Motion filed 6/20/19)

Docket 2

Party Information

Debtor(s):

South Coast Behavioral Health, Inc.

Represented By
Michael N Nicaastro

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Friday, June 21, 2019

Hearing Room 6C

10:00 AM

8:19-12375 South Coast Behavioral Health, Inc.

Chapter 11

#2.00

Hearing RE: Emergency Motion For Order Authorizing Debtor To Pay Pre-Petition: (1) Wages, Salaries, And Other Compensation; (2) Employee Medical, Workers' Compensation, And Similar Benefits; (3) Employee Deductions; (4) Authorizing And Directing Applicable Banks And Other Financial Institutions To Receive, Process, Honor, And Pay Checks Presented For Payment And to Honor Funds Transfer Requets Relating To The Foregoing; And (5) Authorizing The Debtor Retain Its Existing Payroll Funding Account For Thirty Days (Motion filed 6/20/19)

Docket 3

Party Information

Debtor(s):

South Coast Behavioral Health, Inc.

Represented By
Michael N Nicastro

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Friday, June 21, 2019

Hearing Room 6C

10:00 AM

8:19-12375 South Coast Behavioral Health, Inc.

Chapter 11

#3.00

Hearing RE: Motion Emergency Motion of Debtor And Debtor In Possession For Entry Of An Order Authorizing Certain Procedures To Maintain The Confidentiality Of Patient Information As Required By Applicable Privacy Rules

Docket 7

Party Information

Debtor(s):

South Coast Behavioral Health, Inc.

Represented By
Michael N Nicastro

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Friday, June 21, 2019

Hearing Room 6C

10:00 AM

8:19-12375 South Coast Behavioral Health, Inc.

Chapter 11

#4.00

Hearing RE: Emergency Motion of Debtor and Debtor in Possession for Entry of Interim and Final Orders (A) Prohibiting Utility Provers from ALtering, Refusing or Discontinuing Service (B) Approving the Debtors Proposed Adequate Assurance of Payment for Postpetition Services and (C) Establishing Procedures for Resolving Requests for Additional Adequate Assurance of Payment
(Motion filed 6/20/19)

Docket 9

Party Information

Debtor(s):

South Coast Behavioral Health, Inc.

Represented By
Michael N Nicastrò

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Friday, June 21, 2019

Hearing Room 6C

10:00 AM

8:19-12375 South Coast Behavioral Health, Inc.

Chapter 11

#5.00

Hearing RE: Motion Emergency Motion of Debtor and Debtor in Possession for an Order Limiting Scope of Notice (Motion filed 6/20/19)

Docket 8

Party Information

Debtor(s):

South Coast Behavioral Health, Inc.

Represented By
Michael N Nicastro

Movant(s):

South Coast Behavioral Health, Inc.

Represented By
Michael N Nicastro

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, June 24, 2019

Hearing Room 6C

9:00 AM

8:19-11605 Franco De Rosa

Chapter 7

#0.00

CONT'D Motion for relief from stay [Unlawful Detainer]

SRPP II LP vs. DEBTOR
(Motion filed 5/17/19)

[RE: 930 W Balboa Boulevard., Newport Beach, CA 92661]

FR: 6/17/19

Docket 13

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Franco De Rosa

Pro Se

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, June 24, 2019

Hearing Room 6C

2:00 PM

8:19-10198 Allan Eli Gindi and Carol June Gindi

Chapter 11

#0.00

CONT'D Hearing RE: Debtors And Debtors In Possessions' Motion For Order Extending Exclusivity Period For Debtors To File Plan Of Reorganization And Obtain Acetances Thereof, And To Extend Time To File Chapter 11 Plan Of Reorganization
(Motion filed 5/1/19)

FR: 6/17/19

Docket 62

***** VACATED *** REASON: CONTINUED TO JULY 15, 2019 AT 2:00 P.M. PER ORDER CONTINUING HEARING ENTERED 6/20/19 (Docket No. [107])**

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the hearing to June 24, 2019 at 2:00 p.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Allan Eli Gindi

Represented By
Michael R Totaro

Joint Debtor(s):

Carol June Gindi

Represented By
Michael R Totaro

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, June 24, 2019

Hearing Room 6C

2:00 PM

8:19-11218 US Direct LLC

Chapter 7

#1.00

CONT'D Hearing RE: Whether The Court Should Enter An Order For Relief In This Involuntary Case Under Federal Rules Of Bankruptcy Procedure 1013, And If Such An Order Is Entered, The Amount Of The Cash Bond The Court Should Require Future Logistics, Inc. To Post Pursuant To 11 U.S.C. Section 303(e) (Set per Order Entered 5/1/19)

FR: 5-20-19

Docket 17

***** VACATED *** REASON: ORDER VACATING HEARING
ENTERED 6-12-19 - (DOCKET NO. [71])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

US Direct LLC

Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, June 24, 2019

Hearing Room 6C

2:00 PM

8:19-10198 Allan Eli Gindi and Carol June Gindi

Chapter 11

#2.00

Hearing RE: Motion By United States Trustee To Dismiss Case Or Convert Case To One Under Chapter 7 Pursuant To 11 U.S.C. Section 1112((b) (Motion filed 5/20/19)

Docket 71

***** VACATED *** REASON: CONTINUED TO JULY 15, 2019 AT 2:00 P.M. PER ORDER APPROVING STIPULATION ENTERED 6-18-19 (Docket No. [100]**

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will approve the stipulation to continue the hearing to July 8, 2019 at 2:00 p.m.

Party Information

Debtor(s):

Allan Eli Gindi

Represented By
Michael R Totaro

Joint Debtor(s):

Carol June Gindi

Represented By
Michael R Totaro

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, June 24, 2019

Hearing Room 6C

2:00 PM

8:16-15208 Michael Younessi

Chapter 11

#3.00

CONT'D Hearing RE: Motion to Confirm that Obligations to Diamond Enterprises, LTD, LP, are Terminated and to Void Certain Liens (Motion filed 7/24/18) (set per order entered 8/23/18)

FR: 11-14-18; 1-30-19

Docket 226

***** VACATED *** REASON: CONTINUED TO SEPTEMBER 18, 2019 AT 9:00 A.M. PER ORDER CONTINUING HEARINGS ENTERED 6-12-19 - [DOCKET NO. [266]]**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Younessi

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, June 24, 2019

Hearing Room 6C

2:00 PM

8:16-15208 Michael Younessi

Chapter 11

#4.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 12/27/16)

FR: 3-8-17; 8-2-17; 11-29-17; 3-28-18; 8-8-18; 12-12-18; 1-30-19

Docket 1

***** VACATED *** REASON: CONTINUED TO SEPTEMBER 18, 2019
AT 9:00 A.M. PER ORDER CONTINUING HEARINGS ENTERED 6-12-19
- [DOCKET NO. [266]]**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Younessi

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, June 24, 2019

Hearing Room 6C

2:00 PM

8:16-15208 Michael Younessi

Chapter 11

Adv#: 8:17-01051 Diamond Enterprises, LTD., LP v. Younessi

#5.00

CONT'D Hearing RE: Defendant's Motion For Summary Judgment Or In The
Alternative Summary Adjudication
(Motion filed 5/8/18)

FR: 6-27-18; 8-29-18; 11-14-18; 1-30-19

Docket 78

***** VACATED *** REASON: CONTINUED TO SEPTEMBER 18, 2019
AT 9:00 A.M. PER ORDER CONTINUING HEARING ENTERED 6-12-19
- [DOCKET NO. [131]]**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Younessi

Represented By
Michael Jones
Sara Tidd

Defendant(s):

Michael Younessi

Represented By
Roger Frederickson

Plaintiff(s):

Diamond Enterprises, LTD., LP

Represented By
M Douglas Flahaut

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, June 24, 2019

Hearing Room 6C

2:00 PM

8:16-15208 Michael Younessi

Chapter 11

#6.00

Hearing RE: Motion By United States Trustee To Dismiss Or Convert Reorganized Debtor's Case Under 11 U.S.C. Section 1112(b) For Failure To Pay Post-Confirmation Quarterly Fees (Motion filed 5/23/19)

Docket 259

***** VACATED *** REASON: OFF CALENDAR - VOLUNTARY
DISMISSAL OF U.S. TRUSTEE'S MOTION FILED 5-29-19 (Docket no.
[264])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Younessi

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, June 24, 2019

Hearing Room 6C

2:00 PM

8:18-10229 Patty Sundara

Chapter 7

#7.00

Hearing RE: Chapter 7 Trustee's Final Report And Applications For
Compensation And Reimbursement Of Expenses
(Final Report filed 5/23/19)

**[RE: RICHARD A. MARSHACK, Chapter 7 Trustee]
[Fees: \$2,168.12; Expenses: \$255.56]**

**[RE: LAKE FOREST BANKRUPTCY, Attorney For Trustee]
[Fees: 4,680.00]**

**[HAHN FIFE AND COMPANY LLP - Other Professional]
[Fees: \$1,000.00]**

[CHARGES: U.S. Bankruptcy Court: \$350.00]

Docket 55

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant and allow:

Trustee's fees: \$2,168.12
Trustee's expenses: \$255.56
Attorney's fees: \$4,680.00
Hahn, Fife fees: \$1,000.00

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Patty Sundara

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, June 24, 2019

Hearing Room 6C

2:00 PM

CONT... Patty Sundara

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Represented By
Anerio V Altman

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, June 25, 2019

Hearing Room 225

9:00 AM

6:18-20218 Bertha Ponce

Chapter 7

#1.00

L/O Offices of Austin P. Nagel - movant attorney

Motion for Relief from Stay

Toyota Motor Credit Corporation vs. DEBTOR
(Motion filed 5/22/19)

RE: 2018 Toyota Corolla

Docket 24

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Bertha Ponce

Represented By
Glenn Ward Calsada

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, June 25, 2019

Hearing Room 225

9:00 AM

6:19-13135 Esteban Eradio Pena Rosales and Marta Maria Pena

Chapter 7

#2.00

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

Motion for Relief from Stay

Americredit Financial Services, Inc. vs. DEBTORS
(Motion filed 5/29/19)

Re: 2012 NISSAN VERSA VIN 3N1CN7APXCL871789

(Tele. appr. Sheryl lth, rep. creditor GMF)

Docket 15

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Esteban Eradio Pena Rosales

Represented By
James Geoffrey Beirne

Joint Debtor(s):

Marta Maria Pena

Represented By
James Geoffrey Beirne

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, June 25, 2019

Hearing Room 225

9:00 AM

6:19-13639 Matthew Richard Molony

Chapter 7

#3.00

Halavais & Associates, APC - movant attorney

Motion for Relief from Stay

Westgate Funding vs. DEBTOR
(Motion filed 6/4/19)

Re: 35408 Cabrini Dr., Yucaipa, CA

(Tele. appr. Coby Halavais, rep. movant, Westgate Funding)

Docket 12

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Matthew Richard Molony Pro Se

Trustee(s):

Larry D Simons (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, June 25, 2019

Hearing Room 225

9:00 AM

6:19-13794 Diana Fuentes

Chapter 7

#4.00

Law Offices of Austin P. Nagel - movant attorney

Motion for Relief from Stay

Toyota Motor Credit Corporation vs. DEBTOR
(Motion filed 5/28/19)

Re: 2016 Lexus CT200H

Docket 9

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Diana Fuentes

Represented By
Gregory E Nassar

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, June 25, 2019

Hearing Room 225

9:00 AM

6:19-14816 Edgar Alejandro Godinez

Chapter 7

#5.00

Scheer Law Group, LLP - movant attorney

Motion for Relief from Stay

California Coast Credit Union vs. DEBTOR
(Motion filed 6/4/19)

RE: 2013 Chevrolet Silverado

Docket 6

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Edgar Alejandro Godinez

Pro Se

Movant(s):

California Coast Credit Union, its

Represented By
Timothy J Silverman

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, June 25, 2019

Hearing Room 225

2:00 PM

6:17-20442 Timothy David Murphy

Chapter 7

#1.00

Hrg. on chapter 7 trustee's Motion filed 5/31/19 for Order to Admit Certain Evidence Necessary for Administration of the Estate

Docket 137

Tentative Ruling:

APPEARANCES REQUIRED.

What is before the Court is the Trustee's motion to admit certain evidence relating to the Lafferty litigation. Not before the Court is issue of whether all or any portion of the attorney's fees relating to the Lafferty litigation is property of the bankruptcy estate. Debtor argues that no portion of the Lafferty litigation fees are estate property but has not made a sufficient showing of this in his opposition. If some portion of the fees are bankruptcy estate property -- possibly because the proper approach is to allocate based on which services were performed pre-petition and which services were performed post-petition -- then it would appear proper to the Court to admit into evidence the documents referenced by the Trustee in her motion.

The motion is granted, but rights are reserved to the Debtor to continue to argue that no portion of the fees are bankruptcy estate property.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Timothy David Murphy

Represented By
Timothy D Murphy
Patricia A Mireles

Trustee(s):

Lynda T. Bui (TR)

Represented By
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, June 25, 2019

Hearing Room 225

2:00 PM

6:18-13196 Sunpro Solar Inc.

Chapter 11

#2.00

Hrg. on Chapter 11 Status Conference

(Cont. from 3/14/19)

Docket 0

***** VACATED *** REASON: Motion Granted for Final Decree on 6/11/19**

- jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sunpro Solar Inc.

Represented By
Robert B Rosenstein

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, June 25, 2019

Hearing Room 225

2:00 PM

6:18-13334 Bruce David Cooke, Sr and Yvette Marie Cooke

Chapter 7

#3.00

Hrg. on U.S. Trustee's Motion filed 6/3/19 for fine and/or disgorgement of fees against bankruptcy petition Preparers Absalom Abe Gomez And Gomez Legal Services

Docket 38

Tentative Ruling:

APPEARANCES REQUIRED.

Mr. "Abe" Gomez is ordered to personally appear at this hearing. He may be represented by counsel if he chooses, but whether or not he is represented by counsel he must appear to answer the U.S. Trustee's allegations.

The Court's tentative is to grant the U.S. Trustee's motion, enjoin Mr. Gomez and impose an additional \$500 fine to be paid to the U.S. Trustee on or before July 25, 2019.

UNITED STATES TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Bruce David Cooke Sr	Pro Se
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Joint Debtor(s):

Yvette Marie Cooke	Pro Se
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Trustee(s):

Robert Whitmore (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, June 25, 2019

Hearing Room 225

2:00 PM

6:18-18731 Scott Shih Lee

Chapter 7

#4.00

Hrg. on Chapter 7 Trustee's Motion for Order Extending the Deadline to Assume or Reject Executory Contracts or, in the Alternative, to Assume Existing Unexpired Lease of Real Property

(Tele. appr. Tinho Mang, rep. trustee, Robert Whitmore)

Docket 92

Tentative Ruling:

APPEARANCES REQUIRED.

The Court finds good cause to grant a further extension of the time to assume or reject. The Court grants the motion and extends the time to assume or reject to September 30, 2019.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Scott Shih Lee

Represented By
Ronald D Halpern

Trustee(s):

Robert Whitmore (TR)

Represented By
D Edward Hays
Tinhu Mang

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 26, 2019

Hearing Room 6C

9:00 AM

6:16-19764 Wayne Earl Parker and Kristine Marie Parker

Chapter 7

#1.00

Hrg. on Order to Show Cause why Timothy L. McCandless Should not be held in contempt of court pursuant to 11 U.S.C. §105 and Federal Rules of Bankruptcy Procedure 9020

(Cont. from 5/8/19)

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will order that the show-cause order be discharged only after Mr. McCandless has paid the U.S. Trustee \$500 to reimburse it for the costs of ensuring Mr. McCandless's compliance with Court orders over a two-year period.

UNITED STATES TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Wayne Earl Parker

Represented By
Timothy L McCandless

Joint Debtor(s):

Kristine Marie Parker

Represented By
Timothy L McCandless

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 26, 2019

Hearing Room 6C

9:00 AM

8:17-11749 Dean Lavar Corbin and Lianne Corbin

Chapter 11

#2.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 5/2/17)

FR: 7-5-17; 11-15-17; 3-7-18; 6-13-18; 10-24-18; 12-12-18; 1-23-19; 3-13-19

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire (1) whether the conveyance of the undeveloped land investment property to Mr. Neskovic has been finalized, and (2) about the extent of other obligations under the Plan to Mr. Neskovic.

Next status conference: to be determined.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Dean Lavar Corbin

Represented By
Michael Jones

Joint Debtor(s):

Lianne Corbin

Represented By
Michael Jones

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 26, 2019

Hearing Room 6C

9:00 AM

8:18-10018 Derek Lee Collins

Chapter 7

Adv#: 8:18-01117 Kermode v. Collins

#3.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Non-Dischargeability Of Debt Pursuant To 11 U.S.C. Section 523(a)
(Complaint filed 6/25/18)

FR: 9-12-18; 11-19-18; 3-20-19

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the status conference to August 14, 2019 at 9:00 a.m. to permit settlement negotiations to move forward.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Derek Lee Collins Pro Se

Defendant(s):

Derek Lee Collins Pro Se

Plaintiff(s):

Deborah J. Geary Kermode Represented By
Ryan D ODea

Trustee(s):

Weneta M Kosmala (TR) Represented By
Erin P Moriarty

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 26, 2019

Hearing Room 6C

9:00 AM

8:16-13380 Eric Martinson

Chapter 11

#4.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 8/9/16)

FR: 10-12-16; 11-9-16; 2-15-17; 5-3-17; 9-27-17, 12-13-17; 2-28-18; 6-6-18;
10-17-18; 1-30-19

Docket 8

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into (1) compliance with U.S. Trustee guidelines and requirements and (2) Debtor's timing with respect to a disclosure statement hearing.

Next status conference: May 22, 2019 at 9:00 a.m. Status report due May 8, 2019.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Eric Martinson

Represented By
Richard Lynn Barrett

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 26, 2019

Hearing Room 6C

9:00 AM

8:19-10402 Sepideh Sally Cirino

Chapter 11

#5.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 case
(Petition filed 2/1/19)

FR: 4-10-19; 5-20-19; 5-29-19

Docket 0

***** VACATED *** REASON: CONTINUED TO AUGUST 14, 2019 AT
2:00 P.M. PER ORDER CONTINUING STATUS CONFERENCE
ENTERED 6/24/19 (Docket No. [65])**

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into compliance with U.S. Trustee guidelines and requirements.

Next status conference: TBD.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Sepideh Sally Cirino

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 26, 2019

Hearing Room 6C

9:00 AM

8:19-10351 Lucy Ann Carmelita Rojo

Chapter 7

Adv#: 8:19-01072 Aiken v. Rojo

#6.00

Hearing RE: Motion To Dismiss Adversary Complaint
(Motion filed 5/30/19)

Docket 6

Tentative Ruling:

APPEARANCES REQUIRED.

Defendant is correct that the Ninth Circuit has adopted a narrow definition of "fiduciary" for purposes of § 523(a)(4). An express or technical trust is required. Plaintiff has failed to plead the existence of an express or technical trust, and it hard to see the alleged facts that any such trust existed. The § 523(a)(4) claim is dismissed with prejudice and without leave to amend.

The § 727 cause of action is inadequately pleaded, but perhaps this can be cured through amendment. If a false oath is believed to underpin this cause of action, the complaint must specifically allege what the false oath was, when it was given and to what it pertained. The Court will grant the motion with leave to amend as to the § 727 cause of action.

DEFENDANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Lucy Ann Carmelita Rojo

Represented By
Jeffrey B Smith

Defendant(s):

Lucy Ann Carmelita Rojo

Represented By
Jeffrey B Smith

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, June 26, 2019

Hearing Room 6C

9:00 AM

CONT... Lucy Ann Carmelita Rojo

Chapter 7

Plaintiff(s):

Jami Aiken

Represented By
Greg W Garrotto

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, June 27, 2019

Hearing Room 225

9:00 AM

6:17-15972 Enriquez Q Amezcua

Chapter 7

Adv#: 6:19-01066 Pringle v. Amezcua et al

#1.00

STATUS CONFERENCE re: Complaint by John P. Pringle against Enriquez Q Amezcua, Maria Del Carmen Garcia Amezcua, The North River Insurance Company, United States Fire Insurance Company. (Charge To Estate). (\$350.00) (Attachments: # 1 Part 2 # 2 Part 3) Nature of Suit: (11 (Recovery of money/property - 542 turnover of property)),(14 (Recovery of money/property - other)),(31 (Approval of sale of property of estate and of a co-owner - 363(h))) (

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

This adversary proceeding status conference is not in view of the Court's determination of Plaintiff's motion for entry of default judgment.

Party Information

Debtor(s):

Enriquez Q Amezcua Pro Se

Defendant(s):

United States Fire Insurance Pro Se

The North River Insurance Company Pro Se

Maria Del Carmen Garcia Amezcua Pro Se

Enriquez Q Amezcua Pro Se

Plaintiff(s):

John P. Pringle Represented By
Michelle A Marchisotto

Trustee(s):

John P Pringle (TR) Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, June 27, 2019

Hearing Room 225

9:00 AM

CONT...

Enriquez Q Amezcua

Michelle A Marchisotto

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, June 27, 2019

Hearing Room 225

9:00 AM

6:17-15972 Enriquez Q Amezcua

Chapter 7

Adv#: 6:19-01066 Pringle v. Amezcua et al

#2.00

Hrg on Plaintiff's Motion for Default Judgment Against Defendants

Docket 19

Tentative Ruling:

APPEARANCES REQUIRED.

The Court grants the Trustee's request for judicial notice.

The Court will grant the motion for entry of default judgment in its entirety.

PLAINTIFF TO LODGE VIA LOU, WITH TEN DAYS, (1) ORDER GRANTING MOTION AND (2) FORM OF JUDGMENT.

Party Information

Debtor(s):

Enriquez Q Amezcua Pro Se

Defendant(s):

United States Fire Insurance Pro Se

The North River Insurance Company Pro Se

Maria Del Carmen Garcia Amezcua Pro Se

Enriquez Q Amezcua Pro Se

Plaintiff(s):

John P. Pringle Represented By
Michelle A Marchisotto

Trustee(s):

John P Pringle (TR) Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, June 27, 2019

Hearing Room 225

9:00 AM

CONT...

Enriquez Q Amezcua

Michelle A Marchisotto

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, June 27, 2019

Hearing Room 225

9:00 AM

6:17-20442 Timothy David Murphy
Adv#: 6:18-01071 Murphy v. Murphy et al

Chapter 7

#3.00

PRE-TRIAL CONFERENCE re: Complaint to deny discharge under
11 U.S.C. Section 727(a)(4)(A)

(Cont. from 4/25/19)

Docket 31

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will give the parties another opportunity to agree to a proposed joint pretrial order.

The pretrial conference order lodged by Mr. Webb fails to attach any exhibits.

The pretrial conference is continued to September 12, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Timothy David Murphy Pro Se

Defendant(s):

Timothy David Murphy Represented By
Timothy D Murphy

Plaintiff(s):

Mark M. Murphy Represented By
Larry D Webb

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, June 27, 2019

Hearing Room 225

9:00 AM

CONT... Timothy David Murphy

Chapter 7

Trustee(s):

Lynda T. Bui (TR)

Represented By
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, June 27, 2019

Hearing Room 225

9:00 AM

6:18-17439 Robert Mansour Hamzey, Jr.

Chapter 7

Adv#: 6:18-01221 Hardt, Jr v. Hamzey, Jr. et al

#4.00

Hrg. on Defendants' Motion filed 6/3/19 to Dismiss Adversary Proceeding for Failure to State a Claim Upon Which Relief Can be Granted

Docket 52

Tentative Ruling:

APPEARANCES REQUIRED.

The Court previously dismissed the initial complaint and First Amended Complaint, each time with leave to amend. Once again, and in express violation of this Court's order dismissing the § 548 cause of action without leave to amend, plaintiff has again asserted a § 548 cause of action. Once again the Court dismisses it without leave to amend. Plaintiff, a creditor, lacks standing to bring a § 548 cause of action.

Regarding the § 523(a)(2)(A) cause of action, plaintiff fails to allege any specific omission or misrepresentation that plaintiff relied upon and that defendant knew was false. This cause of action, too, is dismissed without leave to amend.

To summarize: the entire Second Amended Complaint is dismissed with prejudice and without leave to amend.

DEFENDANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Robert Mansour Hamzey Jr.

Represented By
Daniel C Sever

Defendant(s):

Robert Mansour Hamzey Jr.

Represented By
Daniel C Sever

Marie Ann Hamzey

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, June 27, 2019

Hearing Room 225

9:00 AM

CONT... Robert Mansour Hamzey, Jr.

Chapter 7

Daniel C Sever

Joint Debtor(s):

Marie Ann Hamzey

Represented By
Daniel C Sever

Plaintiff(s):

William Joseph Hardt Jr

Pro Se

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, June 27, 2019

Hearing Room 225

9:00 AM

6:18-20210 Israel Antonio Mendoza Barillas

Chapter 7

Adv#: 6:19-01048 Chareunsouk v. Barillas

#5.00

Hrg. on Plaintiff's Motion filed 5/23/19 for Default Judgment under LBR 7055-1

Docket 8

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion for entry of default judgment. The Court determines that (1) Debtor-Defendant Barillas is indebted to Plaintiff in the amount of \$14,057.75, and (2) such debt is excepted from discharge pursuant to 11 U.S.C. § 523(a)(2)(A).

COURT TO PREPARE ORDER AND FORM OF JUDGMENT.

Party Information

Debtor(s):

Israel Antonio Mendoza Barillas

Represented By
Curtis R Aijala

Defendant(s):

Israel Antonio Mendoza Barillas

Pro Se

Plaintiff(s):

Sayngeune Chareunsouk

Pro Se

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, June 27, 2019

Hearing Room 225

9:00 AM

6:19-10781 Yongming Sui

Chapter 11

Adv#: 6:19-01062 Yang et al v. Sui

#6.00

STATUS CONFERENCE re: Complaint by Pao Sheng Yang, GRG Manufacturing against Yongming Sui. false pretenses, false representation, actual fraud)),(68 (Dischargeability - 523(a)(6), willful and malicious injury))

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will issue a scheduling order:

1. All discovery closes November 30, 2019.
2. All discovery motions shall be heard before December 31, 2019.
3. All pretrial motions shall be heard before January 31, 2020.
4. Pretrial conference is set for February 20, 2020 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Yongming Sui

Represented By
Javier H Castillo

Defendant(s):

Yongming Sui

Pro Se

Plaintiff(s):

GRG Manufacturing

Represented By
Brendan Loper

Pao Sheng Yang

Represented By
Brendan Loper

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, June 27, 2019

Hearing Room 225

9:00 AM

CONT... Yongming Sui

Chapter 11

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Friday, June 28, 2019

Hearing Room 6C

11:00 AM

8:19-12375 South Coast Behavioral Health, Inc.

Chapter 11

#1.00

Hearing RE: Emergency Motion For Order Enforcing Automatic Stay And Sanctioning Creditors For Willful Violations Of The Automatic Stay (Motion filed 6/27/19)

(Tele. appr. Todd Wuertz, repr. Debtor, South Coast Behavioral Health)

(Tele appr. Shanna Kaminski, repr. Creditor West Coast Capital LLC)

Docket 36

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

South Coast Behavioral Health, Inc.

Represented By
Michael N Nicastr
Sean A OKeefe

Movant(s):

South Coast Behavioral Health, Inc.

Represented By
Michael N Nicastr
Sean A OKeefe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 3, 2019

Hearing Room 6C

2:00 PM

8:19-11340 Roger G. Woods and Mary S. Woods

Chapter 13

#1.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Roger G. Woods

Represented By
Sam Benevento

Joint Debtor(s):

Mary S. Woods

Represented By
Sam Benevento

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 3, 2019

Hearing Room 6C

2:00 PM

8:19-11351 Lorraine Jeanette Ortiz

Chapter 13

#2.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 27

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lorraine Jeanette Ortiz

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 3, 2019

Hearing Room 6C

2:00 PM

8:19-11407 Hugh Robinson

Chapter 13

#3.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Hugh Robinson

Represented By
Nicholas M Wajda

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 3, 2019

Hearing Room 6C

2:00 PM

8:19-11435 Ernesto Rafael Montalvo

Chapter 13

#4.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 34

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Ernesto Rafael Montalvo

Represented By
Claudia C Osuna

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 3, 2019

Hearing Room 6C

2:00 PM

8:19-11453 William Anthony Wilson

Chapter 13

#5.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

William Anthony Wilson

Represented By
Anthony B Vigil

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 3, 2019

Hearing Room 6C

2:00 PM

8:19-11454 Laura Jean Holloway

Chapter 13

#6.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 2

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Laura Jean Holloway

Represented By
Anthony B Vigil

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 3, 2019

Hearing Room 6C

2:00 PM

8:19-11460 David Michael Weisman

Chapter 13

#7.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

David Michael Weisman

Represented By
Andrew Moher

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 3, 2019

Hearing Room 6C

2:00 PM

8:19-11607 Sara Joy Fasoli

Chapter 13

#8.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 15

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sara Joy Fasoli

Represented By
Gregory M Shanfeld

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 3, 2019

Hearing Room 6C

2:00 PM

8:19-11696 Starr Yolanda Berglund

Chapter 13

#9.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 9

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Starr Yolanda Berglund

Represented By
Joshua L Sternberg

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 3, 2019

Hearing Room 6C

2:00 PM

8:19-11703 Michael A. Souza

Chapter 13

#10.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 12

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael A. Souza

Represented By
James D. Hornbuckle

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 3, 2019

Hearing Room 6C

2:00 PM

8:19-11750 Touch Heng

Chapter 13

#11.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Touch Heng

Represented By
Peter Recchia

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 3, 2019

Hearing Room 6C

2:00 PM

8:19-11639 Ruth Lopez

Chapter 13

#12.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL FOR FAILURE TO FILE SCHEDULES, STATEMENTS
AND/OR PLAN ENTERED 5-20-19 - (DOCKET NO. [13])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Ruth Lopez

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 3, 2019

Hearing Room 6C

3:00 PM

8:18-11797 Teresa Ruiz

Chapter 13

#1.00

Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding For Failure To Make Plan Payments [11 U.S.C. 1307(c)]
(Motion filed 5/8/19)
(Opposition filed 5/21/19)

Docket 30

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and dismiss the case.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Teresa Ruiz

Represented By
Christopher J Langley

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 3, 2019

Hearing Room 6C

3:00 PM

8:18-14679 Virginia Ann Von Schaefer

Chapter 13

#2.00

Hearing RE: Verified Motion For Order Modifying The Chapter 13 Plan
(Motion filed 5/23/19)

Docket 42

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Virginia Ann Von Schaefer

Represented By
Omero Banuelos

Movant(s):

Amrane (SA) Cohen (TR)

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 3, 2019

Hearing Room 6C

3:00 PM

8:17-10047 Ronald Robert Deak and Aida Rosario Ganddini

Chapter 13

#3.00

CONT'D Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding For Failure To Make Plan Payments [11 U.S.C. 1307(c)]
(Motion filed 2/6/19)
(Opposition filed 3/6/19)
(Notice of Hearing filed 3/6/19)

FR: 5-8-19; 6-12-19

Docket 46

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and dismiss the case.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Ronald Robert Deak

Represented By
Thomas E Brownfield

Joint Debtor(s):

Aida Rosario Ganddini

Represented By
Thomas E Brownfield

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 3, 2019

Hearing Room 6C

3:00 PM

8:19-11340 Roger G. Woods and Mary S. Woods

Chapter 13

#4.00

Hearing RE: Objection To Proof Of Claim:
(Motion filed 5/20/19)

Claim No. 2	U.S. Bank, N.A.	\$24,534.89
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Docket 25

Tentative Ruling:

APPEARANCES REQUIRED.

A validly executed and filed proof of claim constitutes prima facie evidence of the amount and validity of the claim. Fed. R. Bankr. P. 3001(f). On request of a party in interest and after notice and a hearing, the bankruptcy court may determine the amount of a secured claim under 11 U.S.C. § 506(a). Fed. R. Bankr. P. 3012(a)(1). Such request may be made by motion or an objection to claim. Fed. R. Bankr. P. 3012(b).

Here, debtors qualify as interested parties, and their request that the Court determine the secured amount of USBank's claim under 11 U.S.C. § 506(a) is properly made under the authorities cited above. Thus, this matter is properly before the Court.

USBank is correct that the burden is initially on the objecting party to come forward with evidence to overcome the prima facie evidence of the claim's validity. The rule is that such evidence must be equal or greater in probative force to the evidence in the claim. If the objecting party comes forward with such evidence, the burden then shifts to the party holding the claim to prove up its claim by a preponderance of the evidence.

Debtors do not object to the amount of USBank's claim, only to the extent it is alleged to be secured. A claim can be secured only to the extent there is property securing it. USBank's proof of claim attaches the security agreement but provides no information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 3, 2019

Hearing Room 6C

3:00 PM

CONT... Roger G. Woods and Mary S. Woods

Chapter 13

precisely describing the property securing the loan except in a generic fashion (e.g., "equipment," as opposed to "a Whirlpool washing machine, model ____"). Debtors' objection, on the other hand, does identify the property securing USBank's claim, namely a small bank account with a \$50 balance and some hand tools having de minimis value.

The Court holds that Debtors have met their burden of coming forward with evidence equal or greater in probative force to the probative force of the proof of claim.

The burden of proving up its claim by a preponderance of the evidence therefore is upon US Bank.

USBank has failed to meet this burden. USBank contends that the property listed on Schedule B secures its claim but fails to make a showing that such property (except for the various bank accounts) falls within the definition set forth in section 2.1 of the Note and Security Agreement attached to USBank's proof of claim.

The Court sustains Debtors' objection in part and overrules it in part. USBank's claim is secured to the extent of \$500 in Debtors' bank accounts and is unsecured as to the balance.

DEBTORS TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Roger G. Woods

Represented By
Sam Benevento

Joint Debtor(s):

Mary S. Woods

Represented By
Sam Benevento

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 3, 2019

Hearing Room 6C

3:00 PM

CONT... Roger G. Woods and Mary S. Woods

Chapter 13

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 3, 2019

Hearing Room 6C

3:00 PM

8:14-15805 Mario Montes and Leticia Montes

Chapter 13

#5.00

CONT'D Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding
[11 USC 1307(c)(6)]
(Motion filed 4/10/19)

FR: 6-12-19

Docket 93

***** VACATED *** REASON: OFF CALENDAR; NOTICE OF
VOLUNTARY DISMISSAL OF MOTION FILED 6/27/19 (Docket No. [112])**

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and dismiss the case.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Mario Montes

Represented By
Amanda G Billyard
Andy C Warshaw

Joint Debtor(s):

Leticia Montes

Represented By
Amanda G Billyard
Andy C Warshaw

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 3, 2019

Hearing Room 6C

3:00 PM

8:19-10738 Alfredo Alvarado

Chapter 13

#6.00

Hearing RE: Stipulation For Adequate Protection Order Between Debtor And Santa Ana Federal Credit Union And Loan Modification
(Motion filed 6/5/19)
(Set per Notice of Hearing filed 6/6/19)

Docket 30

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will sustain the Chapter 13 Trustee's objection. Santa Ana FCU has failed to make a sufficient showing that the elaborate reaffirmation agreement provisions of 11 U.S.C. § 524(c) can be circumvented through a waiver of discharge set forth in a stipulation.

The Court's ruling is without prejudice to Santa Ana FCU.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Alfredo Alvarado

Represented By
Norma Duenas

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Monday, July 8, 2019

Hearing Room 225

3:00 PM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

#1.00

Hrg. on Judgment Lien Creditor Havasu Lakeshore Investments, LLC
Emergency Motion filed 7/8/19 To Stay Plan Confirmation Pending Appeal

(Tele. appr. Martin Eliopulos, rep. Havasu)

Docket 352

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, July 8, 2019

Hearing Room 6C

9:00 AM

8:16-14780 Cimberly Gonzales

Chapter 13

#1.00

Motion for relief from stay [Real Property]

US Bank Trust National Association, As Trustee Of The Igloo Series III Trust vs.
DEBTOR
(Motion filed 6/13/19)

[RE: 166 N. Singlewood Street, Unit No. 3, Orange, CA 92869]

Docket 57

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1) only.. Post-petition, post-confirmation breaches constitute "cause" to lift the stay. Adequate protection is not the issue.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Cimberly Gonzales

Represented By
Amanda G Billyard

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, July 8, 2019

Hearing Room 6C

9:00 AM

8:18-14203 Pacific Foods & Distribution, Inc.

Chapter 7

#2.00

Motion for relief from stay [Personal Property]

Tokyo Century (USA) Inc. vs. DEBTOR
(Motion filed 6/11/19)

**[RE: 2018 Isuzu FTR 28' Dry Van Body With Liftgate]
[VIN No.: 54DK6S164JSG004I7]**

[Tele. appr., Raffi Khatchadourian, repr., Tokyo Century, USA]

Docket 89

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Pacific Foods & Distribution, Inc.

Represented By
Edmond Richard McGuire

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, July 8, 2019

Hearing Room 6C

9:00 AM

8:18-14204 Barbara Jo O'Brien

Chapter 13

#3.00

Motion for relief from stay [Real Property]

Crestline Homeowner's Association vs. DEBTOR
(Motion filed 5/30/19)

[RE: 24322 Val Verde Court, Laguna Hills, CA 92653]

Docket 33

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Barbara Jo O'Brien

Represented By
Daniel King

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, July 8, 2019

Hearing Room 6C

9:00 AM

8:19-11703 Michael A. Souza

Chapter 7

#4.00

Motion for relief from stay [Personal Property]

Nissan Motor Acceptance Corporation vs. DEBTOR; And The Real Barbers Inc.,
Non-Filing Co-Debtor
(Motion filed 6/4/19)

[RE: 2017 Nissan Titan - VIN No.: N6AA1E68HN505719]

[Tele. appr., Mary E. Tang, repr., Bank Of The West]

Docket 26

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Michael A. Souza

Represented By
James D. Hornbuckle

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, July 8, 2019

Hearing Room 6C

9:00 AM

8:19-11703 Michael A. Souza

Chapter 7

#5.00

CONT'D Motion for relief from stay [Personal Property]

Bank Of The West vs. DEBTOR
(Motion filed 5/24/19)

**[RE: 2015 Winnebago Adventure Motorhome]
[VIN No.: 3FA6P0HDXHR368118]**

FR; 6/17/19

[Tele. appr., Mary E. Tang, repr., Bank Of The West]

Docket 20

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) for cause, based upon Debtor's failure to timely make required payments. The Court further determines that the prohibition against selling or leasing the RV is an unlawful restraint on alienation that is unenforceable under Cal. Civil Code § 711.

The co-debtor stay is terminated.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Michael A. Souza

Represented By
James D. Hornbuckle

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, July 8, 2019

Hearing Room 6C

9:00 AM

8:19-12299 Manuel Figueroa

Chapter 13

#6.00

Hearing RE: Motion In Individual Case For Order Imposing A Stay Or Continuing The Automatic Stay As The Court Deems Appropriate (Motion filed 6/18/19)

[RE: 11791 Kathy Ln, Garden Grove, CA 92840]

[Tele. appr., Andrew A. Moher, repr., Manuel Figueroa]

Docket 10

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and continue the stay as to all creditors.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Manuel Figueroa

Represented By
Andrew Moher

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, July 8, 2019

Hearing Room 6C

2:00 PM

8:14-12920 Michael Spnoza

Chapter 7

#1.00

Hearing RE: Trustee's Final Report And Application For Compensation And Reimbursement Of Expenses
(Final Report filed 6/6/19)

**[RE: JEFFREY I. GOLDEN, Chapter 7 Trustee]
[Fees: \$3,585.00; Expenses: \$45.50]**

**[RE: WEILAND GOLDEN GOODRICH LLP - Attorneys For Chapter 7 Trustee]
[Fees: \$17,990.00; Expenses: \$165.00]**

**[RE: HAHN FIFE & COMPANY, LLP - Tax Preparer]
[Fees: \$1,000.00; Expenses: \$0.00]**

[Tele. appr., Reem J. Bello, repr., Jeffrey I. Golden]

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant and allow on a final basis:

Trustee's fees: \$3,585.00
Trustee's expenses: \$45.50
Attorney's fees: \$17,990
Attorney's expenses: \$636.52
Accountant's fees: \$1,000.00

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Michael Spnoza

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, July 8, 2019

Hearing Room 6C

2:00 PM

CONT... Michael Spnoza

Chapter 7

Marlin Branstetter
Leon Ozeran

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Reem J Bello

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, July 8, 2019

Hearing Room 6C

2:00 PM

8:14-14570 Three by Three, Inc.

Chapter 7

#2.00

Hearing RE: Trustee's Final Report And Application For Compensation And Reimbursement Of Expenses
(Final Report filed 6/6/19)

**[RE: JEFFREY I. GOLDEN, Chapter 7 Trustee]
[Fees: \$539.13; Expenses: \$320.35]**

**[RE: WEILAND GOLDEN GOODRICH, Attorneys For Chapter 7 Trustee]
[Fees: \$0.00; Expenses: \$0.00]**

**[RE: HAHN FIFE & COMPANY, LLP - Tax Preparer]
[Fees: \$1,000.00; Expenses: \$0.00]**

[Tele. appr., Jeffrey I. Golden, repr., Jeffrey I. Golden]

Docket 218

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant and allow:

Trustee's fees: \$539.13

Trustee's expenses: \$320.35

Accountant's fees: \$1,000.00

The Court will also approve the lower proposed payments.

Maurice Car'rie and Skate Ranch's rights regarding the settlement agreement are reserved, and their comments are noted for the record.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, July 8, 2019

Hearing Room 6C

2:00 PM

CONT... Three by Three, Inc.

Chapter 7

Debtor(s):

Three by Three, Inc.

Represented By
Christopher P Walker

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Beth Gaschen
Christopher J Green

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, July 8, 2019

Hearing Room 6C

2:00 PM

8:17-14205 Jonathan Friestedt and Darlene Friestedt

Chapter 7

#3.00

Hearing RE: Trustee's Final Report And Applications For Compensation And Reimbursement Of Expenses
(Final Report filed 5/31/19)

**[RE: KAREN SUE NAYLOR - Chapter 7 Trustee]
[Fees: \$971.19; Expenses: \$424.59]**

Docket 84

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant and allow:

Trustee's fees: \$971.19

Trustee's expenses: \$424.59

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Jonathan Friestedt

Represented By
Julie J Villalobos

Joint Debtor(s):

Darlene Friestedt

Represented By
Julie J Villalobos

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, July 8, 2019

Hearing Room 6C

2:00 PM

8:17-14757 Carson Laboratories, Inc. , a Nevada Corporation

Chapter 7

#4.00

Hearing RE: Trustee's Final Report And Applications For Compensation And Reimbursement Of Expenses
(Final Report filed 5/31/19)

**[RE: KAREN SUE NAYLOR - Chapter 7 Trustee]
[Fees: \$2,350.79; Expenses: \$342.80]**

**[RE: HAHN, FIFE & COMPANY, LLP - Accountant For Chapter 7 Trustee]
[Fees: \$1,000.00; Expenses: \$0.00]**

Docket 39

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant and allow:

Trustee's fees: \$2,350.79

Trustee's expenses: \$342.00

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Carson Laboratories, Inc. , a Nevada

Represented By
Charles W Daff

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, July 8, 2019

Hearing Room 6C

2:00 PM

8:18-11997 QDOS, Inc

Chapter 11

#5.00

CONT'D STATUS CONFERENCE Hearing RE: Chapter 11 Involuntary Petition
(Petition filed 5/31/18)

FR: 6-25-18; 8-1-18; 9-19-18; 10-24-18

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the status conference to October 16, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

QDOS, Inc

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, July 8, 2019

Hearing Room 6C

2:00 PM

8:18-13632 Ciara Butler

Chapter 7

#6.00

Motion for relief from stay [Personal Property]

Santander Consumer USA Inc. vs. DEBTOR
(Motion filed 6/6/19)

[RE: 2006 Pontiac G6 - VIN No.: 1G2ZF55B564239711]

[Tele. appr., Sheryl K. Ith, repr., Santander Consumer USA]

Docket 29

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Ciara Butler

Pro Se

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, July 8, 2019

Hearing Room 6C

2:00 PM

8:19-11987 Enalasis Corporation

Chapter 11

#7.00

Hearing RE: Debtor's Motion To Limit Notice Of Certain Matters Requiring Notice To Creditors Pursuant To Rules 2002 And 9007 Of The Federal Rules Of Bankruptcy Procedure
(Motion filed 6/14/19)

Docket 13

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Enalasis Corporation

Represented By
Michael Jones

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, July 8, 2019

Hearing Room 6C

2:00 PM

8:19-12375 South Coast Behavioral Health, Inc.

Chapter 11

#8.00

Cont'd Hearing RE: Motion Emergency Motion of Debtor And Debtor In Possession For Entry Of An Order Authorizing Certain Procedures To Maintain The Confidentiality Of Patient Information As Required By Applicable Privacy Rules

FR: 6-21-19

Docket 7

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will require patients' addresses as well as their names to be redacted. Redacted certificates of service shall refer to patients only by number, e.g., "Patients 1-75" or "Patient 1, Patient 7, Patient 19." Unredacted documents shall be filed under seal.

The motion is granted with those modifications.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

South Coast Behavioral Health, Inc.

Represented By
Michael N Nicastro

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, July 8, 2019

Hearing Room 6C

2:00 PM

8:19-12375 South Coast Behavioral Health, Inc.

Chapter 11

#9.00

Hearing RE: Motion For Order Rejecting Prepetition Leases On Shortened Notice
(Motion filed 7/1/19)
(OST Entered 7/2/19)

Docket 65

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

South Coast Behavioral Health, Inc.

Represented By
Michael N Nicastro
Sean A OKeefe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, July 8, 2019

Hearing Room 6C

2:00 PM

8:18-10607 Nicole Clarisa Sadler

Chapter 7

#10.00

Hearing RE: Emergency Motion to Stop Sale of Home
(Motion filed 7/5/19)

Docket 91

Tentative Ruling:

No tentative ruling.

Party Information

Debtor(s):

Nicole Clarisa Sadler

Represented By
Bert Briones

Trustee(s):

Thomas H Casey (TR)

Represented By
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 10, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01204 Official Committee Of Unsecured Creditors v. Press-One Customer Care,

#1.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint For Avoidance
And Recovery Of Preferential Transfers Pursuant To 11 U.S.C. Sections 547
And 550

(Complaint filed 10/26/17)

(Set at S/C held 3/27/19)

FR: 4-4-18; 12-12-18; 3-27-19

Docket 1

***** VACATED *** REASON: CONTINUED TO JULY 17, 2019 AT 9:00
A.M. PER ORDER SETTING PRE-TRIAL CONFERENCE ENTERED 4-
12-19 - [DOCKET NO. [29]]**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green
Caroline Djang
Scott D Fink
Reed M Mercado

Defendant(s):

Press-One Customer Care, Inc.

Represented By
Scott A Schiff

Plaintiff(s):

Official Committee Of Unsecured

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 10, 2019

Hearing Room 6C

9:00 AM

CONT... Freedom Communications, Inc.

Andrew W Caine
Jeffrey P Nolan

Chapter 11

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 10, 2019

Hearing Room 6C

9:00 AM

8:18-11792 Modern VideoFilm, Inc.

Chapter 11

#2.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Chapter 11 Petition filed on 5/16/18)

FR: 7-25-18; 11-14-18; 2-27-19

Docket 0

***** VACATED *** REASON: CONTINUED TO JULY 17, 2019 AT 9:00
A.M. PER ORDER CONTINUING STATUS CONFERENCE ENTERED 6-
10-19 - (DOCKETL NO. [171])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Modern VideoFilm, Inc.

Represented By
Garrick A Hollander

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 10, 2019

Hearing Room 6C

9:00 AM

8:19-11212 Marc Solomon Tenner

Chapter 7

Adv#: 8:19-01094 DeLuca et al v. Tenner

#3.00

STATUS CONFERENCE Hearing RE: Complaint To Determine Dischargeability Of Debt:

1. 11 USC Section 523(a)(2)(A) - False Pretenses, False Representation, Actual Fraud;
2. 11 USC Section 523(a)(4) - Embezzlement, Larceny
3. 11 USC Section 523(a)(6) - Willful And Malicious Injury To Property (Complaint filed 5/23/19)

Docket 1

***** VACATED *** REASON: CONTINUED TO AUGUST 7, 2019 AT 9:00 A.M. PER ORDER CONTINUING STATUS CONFERENCE ENTERED 6-10-19 - (DOCKET NO. [4])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Marc Solomon Tenner

Represented By
Marc Weitz

Defendant(s):

Marc Solomon Tenner

Pro Se

Plaintiff(s):

John DeLuca

Represented By
Timothy F Umbreit

Lenore DeLuca

Represented By
Timothy F Umbreit

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, July 15, 2019

Hearing Room 6C

9:00 AM

8:14-14604 Felix Martinez

Chapter 13

#1.00

Motion for relief from the automatic stay [REAL PROPERTY]

Deutsche Bank National Trust Company FKA Bankers Trust Company Of California, N.A., As Trustee For The Holders Of AAmes Mortgage Trust, 2002-2 vs. DEBTOR
(Motion filed 6/18/19)

[RE: 3018 South Manitoba Drive, Santa Ana, CA 92704]

[Tele. appr., Robert P. Goe, repr., CV Investment Partners]

[Tele. appr., Nathan F. Smith, repr., Deutsche Bank National Trust]

Docket 88

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will continue the hearing to September 16, 2019 at 9:00 a.m. for an evidentiary hearing on whether any payments have been missed. Movant's brief is due on or before July 29, 2019. Debtor's brief is due on or before August 23, 2019.

CV INVESTMENT PARTNERS TO LODGE ORDER.

Party Information

Debtor(s):

Felix Martinez

Represented By
Joseph A Weber
Fritz J Firman

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, July 15, 2019

Hearing Room 6C

9:00 AM

8:19-11410 Alexis A. Marroquin Analco

Chapter 7

#2.00

Motion for relief from stay [PERSONAL PROPERTY]

Nissan Motor Acceptance Corporation vs. DEBTOR
(Motion filed 6/19/19)

[RE: 2016 Nissan Altima VIN #1N4AL3AP1GC134488]

Docket 16

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Alexis A. Marroquin Analco Pro Se

Trustee(s):

Thomas H Casey (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, July 15, 2019

Hearing Room 6C

9:00 AM

8:19-11435 Ernesto Rafael Montalvo

Chapter 13

#3.00

Hearing RE: Motion In Individual Case For Order Imposing A Stay Or Continuing The Automatic Stay As The Court Deems Appropriate
(Motion filed 6/3/19)
(OST Denied 6/7/19)

[RE: 682 W. Ord Way Anaheim, CA 92802]

Docket 25

Tentative Ruling:

APPEARANCES REQUIRED.

This motion to continue the automatic stay is denied with prejudice as untimely. Because Debtor's previous chapter 13 case, Case No. 8:19-bk-10570-MW, was dismissed on March 8, 2019, and this bankruptcy case was filed April 18, 2019, the Court lacks the authority to continue the automatic stay. 11 U.S.C. § 362(c)(3).

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Ernesto Rafael Montalvo

Represented By
Claudia C Osuna

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, July 15, 2019

Hearing Room 6C

9:00 AM

8:19-11874 Eric Allen Edborg

Chapter 7

#4.00

CONT'D Evidentiary Hearing RE: Motion for relief from stay [Unlawful Detainer]

Eric Hart vs. DEBTOR
(Motion filed 5/23/19)

[RE: 31261 Brooks Street, Laguna Beach, CA 92651]

FR: 6/17/19

Docket 17

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Eric Allen Edborg

Pro Se

Movant(s):

Eric Hart

Represented By
Richard Sontag

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, July 15, 2019

Hearing Room 6C

9:00 AM

8:19-11963 Leticia Martinez Cuevas

Chapter 7

#5.00

Motion for relief from stay [Personal Property]
(Motion filed 6/18/19)

Toyota Motor Credit Corporation vs. DEBTOR

[RE: 2017 TOYOTA CAMRY]

Docket 10

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Leticia Martinez Cuevas

Represented By
Christopher P Walker

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, July 15, 2019

Hearing Room 6C

9:00 AM

8:19-12299 Manuel Figueroa

Chapter 13

#6.00

Motion for relief from the automatic stay [PERSONAL PROPERTY]

LBS Financial Credit Union vs. DEBTOR
(Motion filed 6/24/19)

[RE: 2014 Chevrolet Suburban]

Docket 13

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Manuel Figueroa

Represented By
Andrew Moher

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, July 15, 2019

Hearing Room 6C

9:00 AM

8:19-11703 Michael A. Souza

Chapter 7

#7.00

CONT'D Motion for relief from stay [Personal Property]

Bank Of The West vs. DEBTOR
(Motion filed 5/24/19)

**[RE: 2015 Winnebago Adventure Motorhome]
[VIN No.: 3FA6P0HDXHR368118]**

FR: 6/17/19; 7-8-19

[Tele. appr., Mary E. Tang, repr., Bank of the West]

Docket 20

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) for cause, based upon Debtor's failure to timely make required payments. The Court further determines that the prohibition against selling or leasing the RV is an unlawful restraint on alienation that is unenforceable under Cal. Civil Code § 711.

The co-debtor stay is terminated.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Michael A. Souza

Represented By
James D. Hornbuckle

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, July 15, 2019

Hearing Room 6C

2:00 PM

8:18-10018 Derek Lee Collins

Chapter 7

#1.00

Hearing RE: Trustee's Final Report And Applications For Compensation And Reimbursement Of Expenses
(Final Report filed 6/19/19)

**[RE: WENETA M.A. KOSMALA - Chapter 7 Trustee]
[Fees: \$7,750.00; Expenses: \$270.31]**

**[RE: LAW OFFICES OF WENETA M.A. KOSMALA, Atty. For Chapter 7 Trustee]
[Fees: \$24,615.00; Expenses: \$209.08]**

**[RE: HAHN FIFE & COMPANY, Accountant for Trustee]
[FEES: \$1000.00]**

Docket 120

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant and allow:

Trustee's fees: \$7,750.00
Trustee's expenses: \$270.31
Attorney's fees: \$24,615.00
Attorney's expenses: \$209.08
Accountant's fees: \$1,000.00

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Derek Lee Collins

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, July 15, 2019

Hearing Room 6C

2:00 PM

CONT... Derek Lee Collins

Frank X Ruggier

Chapter 7

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Erin P Moriarty

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, July 15, 2019

Hearing Room 6C

2:00 PM

8:19-10198 Allan Eli Gindi and Carol June Gindi

Chapter 11

#2.00

Hearing RE: Motion By United States Trustee To Dismiss Case Or Convert Case To One Under Chapter 7 Pursuant To 11 U.S.C. Section 1112((b) (Motion filed 5/20/19)

FR: 6-24-19

Docket 71

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will deny the U.S. Trustee's motion without prejudice for the reasons stated in Debtors' supplemental opposition.

DEBTORS TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Allan Eli Gindi

Represented By
Michael R Totaro

Joint Debtor(s):

Carol June Gindi

Represented By
Michael R Totaro

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, July 15, 2019

Hearing Room 6C

2:00 PM

8:19-10198 Allan Eli Gindi and Carol June Gindi

Chapter 11

#3.00

CONT'D Hearing RE: Debtors And Debtors In Possessions' Motion For Order Extending Exclusivity Period For Debtors To File Plan Of Reorganization And Obtain Acetances Thereof, And To Extend Time To File Chapter 11 Plan Of Reorganization
(Motion filed 5/1/19)

FR: 6-17-19; 6-24-19

Docket 62

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Allan Eli Gindi

Represented By
Michael R Totaro

Joint Debtor(s):

Carol June Gindi

Represented By
Michael R Totaro

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, July 15, 2019

Hearing Room 6C

2:00 PM

8:19-10198 Allan Eli Gindi and Carol June Gindi

Chapter 11

#4.00

Hearing RE :Application For Payment Of: Final Fees And/Or Expenses
(11 U.S.C. Section 331) Period: 1/18/2019 to 6/12/2019
(Application Filed 6/22/19)

**[RE: MICHAEL R. TOTARO - Debtor's Attorney]
[Fees: \$50,930.00, Expenses: \$0].**

Docket 113

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the hearing to August 5, 2019 at 2:00 p.m.

Debtors' supplemental brief is optional but, if filed, shall be filed on or before July 22, 2019. Totaro & Shanahan's optional reply is due July 29, 2019. The August 5, 2019 hearing, if requested by any party, shall be an evidentiary hearing. The request must be made on or before July 29, 2019.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Allan Eli Gindi

Represented By
Michael G Spector
Vicki L Schennum

Joint Debtor(s):

Carol June Gindi

Represented By
Michael G Spector
Vicki L Schennum
Candice Bryner

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, July 16, 2019

Hearing Room 225

9:00 AM

6:19-12671 Jason Alan Viera and Kristi Ann Viera

Chapter 7

#1.00

Scheer Law Group, LLP - movant attorney

Motion for Relief from Stay

Logix Federal Credit Union vs. DEBTORS
(Motion filed 6/11/19)

RE: 2008 Honda Pilot- V5

Docket 19

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Jason Alan Viera

Represented By
Paul Y Lee

Joint Debtor(s):

Kristi Ann Viera

Represented By
Paul Y Lee

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, July 16, 2019

Hearing Room 225

9:00 AM

6:19-13794 Diana Fuentes

Chapter 7

#3.00

Law Offices of Austin P. Nagel - movant attorney

Motion for Relief from Stay

Toyota Motor Credit Corporation vs. DEBTOR
(Motion filed 6/3/19)

Re: 2016 Lexus IS350

Docket 11

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Diana Fuentes

Represented By
Gregory E Nassar

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, July 16, 2019

Hearing Room 225

9:00 AM

6:19-14145 Kevin Russell Arlich

Chapter 7

#4.00

Prenovost, Normandin, Bergh & Dawe - movant attorney

Motion for Relief from Stay

Yamaha Motor Finance Corp. vs. DEBTOR
(Motion filed 6/18/19)

Re: 2017 Yamaha YZFR6HCB

Docket 7

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Kevin Russell Arlich

Represented By
Todd L Turoci

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, July 16, 2019

Hearing Room 225

9:00 AM

6:19-14156 Troy Dale Blood and Frances Nicole Blood

Chapter 7

#5.00

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

Motion for Relief from Stay

ACAR Leasing LTD vs. DEBTOR, Arturo Cisneros, trustee
(Motion filed 6/6/19)

Re: 2018 GMC CANYON VIN 1GTP6EE18J1307889

Docket 12

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Troy Dale Blood

Represented By
Marend M Garrett

Joint Debtor(s):

Frances Nicole Blood

Represented By
Marend M Garrett

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, July 16, 2019

Hearing Room 225

9:00 AM

6:19-14294 Ulises V Angel

Chapter 7

#6.00

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

Motion for Relief from Stay

Santander Consumer USA, Inc. vs. DEBTOR
(Motion filed 6/12/19)

RE: 2014 DODGE JOURNEY VIN 3C4PDCABXET213889

Docket 8

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Ulises V Angel

Represented By
Paul Y Lee

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, July 16, 2019

Hearing Room 225

9:00 AM

6:19-14803 Whitney Apryle Santiful

Chapter 7

#7.00

Barry Lee O'Connor - movant attorney

Motion for relief from stay

Michael Wayne Bettis vs DEBTOR
(Motion filed 6/24/19)

RE: 12675 Tigers Eye Way Moreno Valley CA 92555

Docket 12

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Whitney Apryle Santiful

Represented By
Nicholas M Wajda

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, July 16, 2019

Hearing Room 225

9:00 AM

6:19-14846 Nadine Jordan

Chapter 7

#8.00

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

Motion for Relief from Stay

TD Auto Finance LLC vs. DEBTOR, Larry D. Simons, trustee
(Motion filed 6/12/19)

Re: 2012 KIA SORENTO VIN 5XYKT4A16CG269424

Docket 7

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Nadine Jordan

Represented By
Charles W Daff

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, July 16, 2019

Hearing Room 225

9:00 AM

6:19-15259 Cesar Ramirez Vega

Chapter 7

#9.00

Luke Daniels - movant attorney

Motion for Relief from Stay

Jack Tsai vs. DEBTOR
(Motion filed 6/24/19)

Re: 7375 Stonebrook PL., Rancho Cucamonga, CA 91730

Docket 9

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Cesar Ramirez Vega

Pro Se

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, July 16, 2019

Hearing Room 225

2:00 PM

6:17-18333 Ana Maria Perez

Chapter 7

#1.00

Hrg. on chapter 7 trustee's Motion filed 5/28/19 to Allow Claim 6 of Ally Bank as Late Filed Allowable Against a Surplus Only

Docket 55

Tentative Ruling:

APPEARANCES REQUIRED.

The will grant the motion, sustain the objections and allow Claim Nos. 6, 7 and 8 of Ally Bank and Synchrony Bank as tardily-filed claims only pursuant to 11 U.S.C. § 726(a)(3).

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Ana Maria Perez

Pro Se

Trustee(s):

John P Pringle (TR)

Represented By
Toan B Chung

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, July 16, 2019

Hearing Room 225

2:00 PM

6:17-18333 Ana Maria Perez

Chapter 7

#2.00

Hrg. on Chapter 7 trustee's Motion filed 5/28/19 to Allow Claim 7 of Synchrony Bank as Late Filed Allowable Against a Surplus Only

Docket 57

Tentative Ruling:

APPEARANCES REQUIRED.

The will grant the motion, sustain the objections and allow Claim Nos. 6, 7 and 8 of Ally Bank and Synchrony Bank as tardily-filed claims only pursuant to 11 U.S.C. § 726(a)(3).

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Ana Maria Perez

Pro Se

Trustee(s):

John P Pringle (TR)

Represented By
Toan B Chung

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, July 16, 2019

Hearing Room 225

2:00 PM

6:17-18333 Ana Maria Perez

Chapter 7

#3.00

Hrg. on Chapter 7 Trustee's Motion filed 5/28/19 to Allow Claim 8 of Synchrony Bank as Late Filed Allowable Against a Surplus Only

Docket 59

Tentative Ruling:

APPEARANCES REQUIRED.

The will grant the motion, sustain the objections and allow Claim Nos. 6, 7 and 8 of Ally Bank and Synchrony Bank as tardily-filed claims only pursuant to 11 U.S.C. § 726(a)(3).

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Ana Maria Perez

Pro Se

Trustee(s):

John P Pringle (TR)

Represented By
Toan B Chung

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, July 16, 2019

Hearing Room 225

2:00 PM

6:18-10094 Deontay Daymont Potter and Joy Shaun Potter

Chapter 11

#4.00

Hrg. on Debtor's attorney's Motion filed 6/6/19 for Attorney's Fees Against Environmental & Chemical Consulting, Inc., Period: to, Fee: \$9,401.25, Expenses: \$0.00.

Docket 194

***** VACATED *** REASON: Voluntary Dismissal of motion filed 7/1/19 -
jc**

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will approve the parties' stipulation to resolve the attorney fees motion.

DEBTORS TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Deontay Daymont Potter

Represented By
M. Jonathan Hayes

Joint Debtor(s):

Joy Shaun Potter

Represented By
M. Jonathan Hayes

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, July 16, 2019

Hearing Room 225

2:00 PM

6:19-13243 John Vincent Garcia and Terra Nicole Garcia

Chapter 7

#5.00

Hrg on Debtor's Motion to Vacate Dismissal

Docket 16

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion and vacate the dismissal.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

John Vincent Garcia	Pro Se
---------------------	--------

Joint Debtor(s):

Terra Nicole Garcia	Pro Se
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Trustee(s):

Steven M Speier (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, July 16, 2019

Hearing Room 225

2:00 PM

6:19-14502 Caribou Energy Corporation

Chapter 7

#6.00

STATUS CONFERENCE re: 7 Involuntary Petition Against a Non-Individual

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire of Debtor if Debtor opposes the entry of an order for relief.

Party Information

Debtor(s):

Caribou Energy Corporation

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

8:14-11729 Richard Clark Farrell

Chapter 7

Adv#: 8:16-01204 Naylor v. Farrell et al

#1.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint:

1. For An Accounting;
2. To Avoid Actual Fraudulent Transfers;
3. To Avoid Constructively Fraudulent Transfers;
4. To Recover Property Fraudulently Transferred;
5. For Turnover Of Property Of The Estate; And,
6. For Equitable Subordination Of The Claim Of Richard E. Farrell
(Complaint filed 9/16/16)

FR: 12-7-16; 5-31-17; 10-4-17; 11-29-17; 3-28-18; 5-2-18; 5-9-18; 11-14-18;
5-6-19 at 2:00 p.m.; 5-6-19

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

In light of the trustee's July 2, 2019 report, the Court will continue all Farrell matters, other than the pretrial conference in Adversary Proceeding No. 8:16-ap-01123-MW, to November 25, 2019 at 2:00 p.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Defendant(s):

Richard C. Farrell

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

CONT... Richard Clark Farrell Chapter 7

Richard E. Farrell Pro Se

Irma Farrell Pro Se

C3 Lighting Solutions, Inc. Pro Se

Plaintiff(s):

Karen Sue Naylor
Represented By
Nanette D Sanders
Brian R Nelson

Trustee(s):

Karen S Naylor (TR)
Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

8:14-11729 Richard Clark Farrell

Chapter 7

#2.00

CONT'D Hearing RE: Supplemental Application Of Trustee To Employ Hahn Fife & Company, LLP As Accountants, Or In The Alternative, For Nunc Pro Tunc Employment Of Desmond, Marcello & Amster
(Application filed 6/14/16) (Supplement Application filed 10/3/16)

FR: 10-24-16; 1-9-17; 2-6-17; 6-28-17; 11-13-17; 3-28-18; 5-9-18; 11-14-18;
5-6-19 at 2:00 p.m.; 5-6-19

Docket 593

Tentative Ruling:

APPEARANCES NOT REQUIRED.

In light of the trustee's July 2, 2019 report, the Court will continue all Farrell matters, other than the pretrial conference in Adversary Proceeding No. 8:16-ap-01123-MW, to November 25, 2019 at 2:00 p.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Movant(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

CONT... Richard Clark Farrell

Chapter 7

Trustee(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

8:14-11729 Richard Clark Farrell

Chapter 7

#3.00

CONT'D Hearing RE: Motion Of Chapter 7 Trustee To Strike Those Portions Of Debtor's Opposition To Supplemental Application Of Trustee To Employ Hahn Fife & Company, LLP, As Accountants, Or In The Alternative, For Nunc Pro Tunc Employment Of Desmond, Marcello & Amster Which Are In Violation Of The Court's Order Continuing Hearing On Chapter 7 Trustee's Motion For Turnover Of Post-Petition Value Received By Debtor From C3 Lighting, Inc. [Docket No. 581]
(Motion filed 10/17/16)

FR: 10-24-16; 1-9-17; 2-6-17; 6-28-17; 11-13-17; 3-28-18; 5-9-18; 11-14-18; 11-14-18; 5-6-19 at 2:00 p.m.; 5-6-19

Docket 611

Tentative Ruling:

APPEARANCES NOT REQUIRED.

In light of the trustee's July 2, 2019 report, the Court will continue all Farrell matters, other than the pretrial conference in Adversary Proceeding No. 8:16-ap-01123-MW, to November 25, 2019 at 2:00 p.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Movant(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

CONT... Richard Clark Farrell

Chapter 7

Brian R Nelson
Robert P Goe

Trustee(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

8:14-11729 Richard Clark Farrell

Chapter 7

#4.00

CONT'D Hearing RE: Motion Of Chapter 7 Trustee For An Order Denying Debtor's Claims Of Exemptions - Homestead And Savings/Checking (Motion filed 11/18/16)

FR: 1-9-17; 2-6-17; 3-20-17; 6-28-17; 11-13-17; 3-28-18; 5-9-18; 11-14-18; 11-14-18; 5-6-19 at 2:00 p.m.; 5-6-19

Docket 651

Tentative Ruling:

APPEARANCES NOT REQUIRED.

In light of the trustee's July 2, 2019 report, the Court will continue all Farrell matters, other than the pretrial conference in Adversary Proceeding No. 8:16-ap-01123-MW, to November 25, 2019 at 2:00 p.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Trustee(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

8:14-11729 Richard Clark Farrell

Chapter 7

#5.00

CONT'D Evidentiary Hearing RE: Motion For Turnover Of Post-Petition Value Received By Debtor From C3 Lighting, Inc.
(Motion filed 5/26/16)
(Evidentiary hearing set at hearing held 8/1/16)

FR: 6-20-16; 8-1-16; 9-19-16; 10-24-16; 1-9-17; 2-6-17; 6-28-17; 11-13-17; 3-28-18; 5-9-18; 11-14-18; 11-14-18; 5-6-19 at 2:00 p.m.; 5-6-19

Docket 487

Tentative Ruling:

APPEARANCES NOT REQUIRED.

In light of the trustee's July 2, 2019 report, the Court will continue all Farrell matters, other than the pretrial conference in Adversary Proceeding No. 8:16-ap-01123-MW, to November 25, 2019 at 2:00 p.m.

COURT TO PREPARE ORDER.R..

Party Information

Debtor(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Movant(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

CONT... Richard Clark Farrell

Chapter 7

Trustee(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

8:14-11729 Richard Clark Farrell

Chapter 7

#6.00

CONT'D Hearing RE: Debtor's Motion To Compel Trustee To Return Debtor's Post-Petition Income
(Motion filed 7/11/16)

FR: 8-1-16; 11-14-16; 1-9-17; 2-6-17; 6-28-17; 11-13-17; 3-28-18; 5-9-18;
11-14-18; 5-6-19

Docket 510

Tentative Ruling:

APPEARANCES NOT REQUIRED.

In light of the trustee's July 2, 2019 report, the Court will continue all Farrell matters, other than the pretrial conference in Adversary Proceeding No. 8:16-ap-01123-MW, to November 25, 2019 at 2:00 p.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Movant(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Trustee(s):

Karen S Naylor (TR)

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

CONT...

Richard Clark Farrell

Nanette D Sanders
Brian R Nelson
Robert P Goe

Chapter 7

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

8:14-11729 Richard Clark Farrell

Chapter 7

Adv#: 8:16-01216 Naylor v. Farrell

#7.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint Objecting To
Discharge Pursuant To 11 U.S.C. Section 727
(Complaint filed 9/30/16)

FR: 12-21-16; 2-6-17; 6-28-17; 11-13-17; 3-28-18; 5-9-18; 11-14-18; 5-9-19 at
2:00 p.m.; 5-6-19

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

In light of the trustee's July 2, 2019 report, the Court will continue all Farrell matters,
other than the pretrial conference in Adversary Proceeding No. 8:16-ap-01123-MW,
to November 25, 2019 at 2:00 p.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Defendant(s):

Richard Clark Farrell

Represented By
Michael G Spector

Plaintiff(s):

Karen Sue Naylor

Represented By
Nanette D Sanders

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

CONT... Richard Clark Farrell

Brian R Nelson

Chapter 7

Trustee(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

8:14-11729 Richard Clark Farrell
Adv#: 8:16-01123 Naylor v. Farrell

Chapter 7

#8.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: First Amended Complaint
For (1) Equitable Subordination Of Claim,
(2) Breach Of Fiduciary Duty, And
(3) Declaratory Relief
(Complaint filed 5/2/16) (First Amended Complaint filed 9/30/16)
(PTC set at S/C held 5/9/18)
(S/C set per Order Entered 5-11-18)
(PTC set at S/C held 11/14/18)

FR: 7-27-16; 9-14-16; 10-12-16; 12-8-16; 2-15-17; 3-6-17; 3-20-17; 6-28-17;
11-13-17; 3-28-18; 5-9-18; 11-14-18; 4-22-19; 5-29-19

Docket 19

Tentative Ruling:

APPEARANCES REQUIRED.

The pretrial conference will proceed.

Party Information

Debtor(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Defendant(s):

Betty Farrell

Represented By
D Edward Hays

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

CONT... Richard Clark Farrell

Chapter 7

Plaintiff(s):

Karen Sue Naylor

Represented By
Robert P Goe

Trustee(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

8:15-13556 John Olaf Halvorson

Chapter 7

#9.00

CONT'D STATUS CONFERENCE Hearing RE: Motion For Order to Show Cause Pursuant to Local Bankruptcy Rule 9020-1 Why the Baeks Should Not Be Held in Contempt for Willfully Violating the Automatic Stay and Court Order and Sanctioned Pursuant to 11 U.S.C. Section 105
(Motion filed 5/29/18)
(Set per Order Entered 8-31-18)
(S/C set at hearing held 4/17/19)

FR: 10-22-18; 1-28-19; 4-17-19

Docket 282

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire of counsel what their views are with respect to how the main bankruptcy case should now proceed in view of Judge Selna's affirmance of Judge Albert's decision denying the Baek Parties' recusal motion.

Party Information

Debtor(s):

John Olaf Halvorson

Represented By
Marc C Forsythe
Charity J Manee

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Reem J Bello
Faye C Rasch
Jeffrey I Golden

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

8:15-13556 John Olaf Halvorson

Chapter 7

Adv#: 8:15-01454 Baek v. Halvorson et al

#10.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Declaratory Judgment, Nondischargeability Of Debt
(Complaint filed 11/25/15)
(S/C set per Order Entered 2-1-19)

FR: 3-2-16; 6-22-16; 9-28-16; 10-19-16; 11-16-16; 1-28-19; 4-17-19

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire of counsel what their views are with respect to how this adversary proceeding should now proceed in view of Judge Selna's affirmance of Judge Albert's decision denying the Baek Parties' recusal motion.

Party Information

Debtor(s):

John Olaf Halvorson

Represented By
Marc C Forsythe
Charity J Miller

Defendant(s):

John Olaf Halvorson

Represented By
Charity J Miller
Marc C Forsythe

Weneta M.A. Kosmala

Represented By
Reem J Bello

Plaintiff(s):

Grace Baek

Represented By
Christopher N Coyle

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

CONT... John Olaf Halvorson

Chapter 7

Misty A Perry Isaacson
Corey B Tolliver
Ali Matin
Steven J. Katzman
Kyle Kveton

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Reem J Bello

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

8:15-13556 John Olaf Halvorson

Chapter 7

Adv#: 8:17-01119 Kosmala v. Pacific Commercial Group, LLC et al

#11.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint:

- (1) For Turnover Of Property Of The Estate And For An Accounting Pursuant To 11 U.S.C. Section 542;
- (2) For Turnover Of Property Of The Estate And For An Accounting Pursuant To 11 U.S.C. Section 542;
- (3) For Turnover Of Property Of The Estate And For An Accounting Pursuant To 11 U.S.C. Section 542;
- (4) For Turnover Of Property Of The Estate And For An Accounting Pursuant To 11 U.S.C. Section 542;
- (5) To Avoid And Recover Fraudulent Transfers Pursuant To 11 U.S.C. Sections 544(B) And 550; And California Civil Code Sections 3439.04(a)(1); 3439.07 And 3439.09;
- (6) To Avoid And Recover Fraudulent Transfers Pursuant To 11 U.S.C. Sections 544(b) And 550; And California Civil Code Sections 3439.04(a)(2); 3439.07 And 3439.09;
- (7) To Avoid And Recover Fraudulent Transfers Under 11 U.S.C. Sections 544(b) And 550; And California Civil Code Sections 3439.05; 3439.07 And 3439.09;
- (8) To Avoid And Recover Fraudulent Transfers Pursuant To 11 U.S.C. Sections 544(A)(1)(A) And 550;
- (9) To Avoid And Recover Fraudulent Transfers Pursuant To 11 U.S.C. Sections 544(A)(1)(B) And 550;
- (10) To Avoid And Recover Unauthorized Post Petition Transfers Pursuant To 11 U.S.C. Sections 549 And 550;
- (11) Declaratory Relief;
- (12) To Preserve Transfers For The Benefit Of The Estate Pursuant To 11 U.S.C. Section 551; And
- (13) For Attorneys' Fees And Costs
(Complaint filed 7/15/17)
(PTC set at S/C held 3-7-18)
(S/C set per Order Entered 1-11-19)
(S/C reset per Order Entered 2-1-19)

FR: 10-4-17; 11-8-17; 1-17-18; 3-7-18; 11-28-18; 1-28-19; 4-17-19

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

CONT...

John Olaf Halvorson

Chapter 7

Docket 1

***** VACATED *** REASON: CONTINUED TO OCTOBER 16, 2019 AT
9:00 A.M. PER ORDER GRANTING STIPULATION TO CONTINUE
STATUS CONFERENCE ENTERED 7-15-19 - (DOCKET NO. [54])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

John Olaf Halvorson

Represented By
Marc C Forsythe
Charity J Miller

Defendant(s):

Pacific Commercial Group, LLC	Pro Se
Baek Family Partnership, LLC	Pro Se
Baek 124, LLC	Pro Se
Baek Holdings, LLC	Pro Se
Baek 153, LLC	Pro Se
RGJ Baek, LLC	Pro Se
Richard Baek	Pro Se
Grace Baek	Pro Se

Plaintiff(s):

Weneta M.A. Kosmala

Represented By
Reem J Bello

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Reem J Bello
Faye C Rasch

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

8:15-13556 John Olaf Halvorson

Chapter 7

Adv#: 8:17-01120 Kosmala v. Hoosten et al

#12.00

CONT'D STATUS CONFERENCE RE: Complaint:

- (1) To Avoid And Recover Fraudulent Transfers Pursuant To 11 U.S.C. Sections 548(a)(1)(A), 548(a)(1)(B) And 550;
- (2) To Avoid And Recover Fraudulent Transfers Pursuant To 11 U.S.C. Sections 548(a)(1)(A), 548(a)(1)(B) And 550;
- (3) For Breach Of Contract;
- (4) To Avoid And Recover Fraudulent Transfers Pursuant To 11 U.S.C. Sections 548(a)(1)(A), 548(a)(1)(B) And 550;
- (5) To Avoid And Recover Preferential Transfers Pursuant To 11 U.S.C. Sections 547 And 550;
- (6) For Resulting Trust;
- (7) For Constructive Trust;
- (8) To Preserve Transfers For The Benefit Of The Estate Pursuant To 11 U.S.C. Section 551; And
- (9) For Attorneys' Fees And Costs
(set per order entered 3-2-18)

FR: 4-25-18; 7-25-18; 11-14-18; 12-12-18; 4-17-19

Docket 1

***** VACATED *** REASON: CONTINUED TO OCTOBER 16, 2019 AT
9:00 A.M. PER ORDER APPROVING STIPULATION TO CONTINUE
STATUS CONFERENCE ENTERED 7-15-19 - (DOCKET NO. [49])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

John Olaf Halvorson

Represented By
Marc C Forsythe
Charity J Miller

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

CONT... John Olaf Halvorson

Chapter 7

Defendant(s):

David Hoosten	Pro Se
PCC Fund 1, LLC	Pro Se
Rod Van Zandt	Pro Se

Plaintiff(s):

Weneta M.A. Kosmala	Represented By Reem J Bello
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Trustee(s):

Weneta M Kosmala (TR)	Represented By Reem J Bello Faye C Rasch Jeffrey I Golden
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01204 Official Committee Of Unsecured Creditors v. Press-One Customer Care,

#13.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint For Avoidance
And Recovery Of Preferential Transfers Pursuant To 11 U.S.C. Sections 547
And 550

(Complaint filed 10/26/17)

(Set at S/C held 3/27/19)

FR: 4-4-18; 12-12-18; 3-27-19; 7-10-19

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the status conference to December 11, 2019 at 9:00 a.m. in
view of the timing of required settlement payments.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green
Caroline Djang
Scott D Fink
Reed M Mercado

Defendant(s):

Press-One Customer Care, Inc.

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

CONT... Freedom Communications, Inc.

Chapter 11

Scott A Schiff

Plaintiff(s):

Official Committee Of Unsecured

Represented By
Andrew W Caine
Jeffrey P Nolan

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

8:15-15715 William John Murphy

Chapter 7

Adv#: 8:16-01147 Vohne Liche Kennels, Inc. et al v. Murphy et al

#14.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For
Nondischargeability Of Debt Pursuant To 11 U.S.C. Sections 523(a)(2)(A), And
(a)(6) And 727(a)(3), (a)(4), (a)(5) And (a)(7)
Complaint filed 6/7/16
(S/C set per Order Entered 6-23-17 - Docket No. [39])

FR: 8-24-16; 2-13-17; 9-20-17, 12-6-17, 7-11-18; 12-12-18

Docket 1

***** VACATED *** REASON: CONTINUED TO NOVEMBER 13, 2019
AT 9:00 A.M. PER ORDER APPROVIING STIPULATION TO CONTINUE
STATUS CONFERENCE ENTERED 6-7-19 - (DOCKET NO. [60])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

William John Murphy

Represented By
D Edward Hays

Defendant(s):

William John Murphy

Represented By
D Edward Hays

Cheryl Lynn Murphy

Represented By
D Edward Hays

Joint Debtor(s):

Cheryl Lynn Murphy

Represented By
D Edward Hays

Plaintiff(s):

Vohne Liche Kennels, Inc.

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

CONT... William John Murphy

Chapter 7

Neal Salisian
Ashleigh A Danker

VLK Risk Consultants, Inc.

Represented By
Ashleigh A Danker
Neal Salisian

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Jason Balitzer

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

8:16-10045 C & W Murphy and Associates, Inc.

Chapter 7

Adv#: 8:18-01004 Kosmala v. First Farmers Bank & Truste Co. et al

#15.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Declaratory Relief; Avoidance Of Lien (11 U.S.C. Section 544, And/Or Section 548); Accounting; And Objection To Claim (11 U.S.C. Section 502) (Complaint filed 1/5/18) (Another Summons issued 5/8/18)

FR: 5=30-18; 7-25-18; 12-12-18

Docket 1

***** VACATED *** REASON: CONTINUED to 11/13/2019 at 9:00 a.m. per Order Approving Stipulation: (1) Extending Time For Defendants To Respond To Complaint; And (2) Continuing Status Conference [Docket no. [27]]**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

C & W Murphy and Associates, Inc.	Represented By D Edward Hays
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Defendant(s):

First Farmers Bank & Truste Co.	Pro Se
Vohne Liche Kennels, Inc.	Pro Se
VLK Risk Consultants, Inc.	Pro Se

Plaintiff(s):

Weneta M.A. Kosmala	Represented By Erin P Moriarty
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

CONT... C & W Murphy and Associates, Inc.

Chapter 7

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Erin P Moriarty

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

8:16-10045 C & W Murphy and Associates, Inc.

Chapter 7

Adv#: 8:18-01002 Kosmala v. Savannah Corp. et al

#16.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Avoidance Of Fraudulent Transfers (11 U.S.C. Section 548, And/Or Section 544); Avoidance Of Preferential Transfers (11 U.S.C. Section 547); And Conversion (Complaint filed 1/5/18)
(Another Summons issued 3/8/18)

FR: 3-28-18; 5-30-18; 12-12-18; 1-23-19

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the status conference to November 13, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

C & W Murphy and Associates, Inc.	Represented By D Edward Hays
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Defendant(s):

Savannah Corp.	Pro Se
The Olivia Group	Pro Se
Reagan Industries, Inc.	Pro Se
William J Murphy and Cheryl Lynn	Pro Se
Cristen Durham	Pro Se
Jacquelyn Murphy Romero	Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

8:16-10045 C & W Murphy and Associates, Inc.

Chapter 7

Adv#: 8:18-01003 Kosmala v. Infinity Builders, Inc. et al

#17.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Avoidance Of Fraudulent Transfers (11 U.S.C. Section 548, And/Or Section 544) And/Or Preferential Transfers (11 U.S.C. Section 547)
(Complaint filed 1/5/18)
(Another Summons issued 3/8/18)

FR: 3-8-18; 5-30-18; 7-25-18; 12-12-18; 1-23-19

Docket 1

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF
VOLUNTARY DISMISSAL OF ADVERSARY PROCEEDING FILED 7-11-
19 (DOCKET NO. [27])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

C & W Murphy and Associates, Inc.	Represented By D Edward Hays
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Defendant(s):

Infinity Builders, Inc.	Pro Se
Ashley N. Belthius	Pro Se

Plaintiff(s):

Weneta M.A. Kosmala	Represented By Erin P Moriarty
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Trustee(s):

Weneta M Kosmala (TR)	Represented By Erin P Moriarty
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

8:18-10203 Phillip Barry Greer

Chapter 7

Adv#: 8:18-01069 Marshack et al v. Biden

#18.00

Hearing RE: Defendant Arlene C. Biden's Motion To Dismiss Second Amended Complaint (FRCP 12(b)(6)); Request For Sanctions (Motion filed 5/10/19)

Docket 61

Tentative Ruling:

APPEARANCES REQUIRED.

The second amended complaint's allegations pass muster under the Iqbal and Twombly decisions. For reasons cited by the trustee, the relevant 10-year statute of limitations is determined with reference to the 2016 tax year, and that statute is still open. Theoretically, the IRS could challenge and seek to avoid a transfer made in 2002, 1902 or 1802 because California's statute of limitations on fraudulent transfers does not run against the United States.

The Court sets a status conference in this case for November 6, 2019 at 9:00 a.m.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Phillip Barry Greer

Pro Se

Defendant(s):

Arlene C Biden

Represented By
Phillip Greer

Plaintiff(s):

Richard A Marshack

Represented By
Ryan D O'Dea

Chriss W. Street

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

CONT... Phillip Barry Greer

Timothy C Aires

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Represented By
James C Bastian Jr
Ryan D O'Dea

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

8:18-10203 Phillip Barry Greer

Chapter 7

Adv#: 8:18-01069 Marshack et al v. Biden

#19.00

CONT'D STATUS CONFERENCE Hearing RE: Chapter 7 Trustee's Second Amended Complaint For:

- (1) Avoidance And Recovery Of Fraudulent Transfer;
 - (2) Constructive Trust;
 - (3) Declaratory Relief;
 - (4) Turnover Of Estate Property; And
 - (5) Authorization To Sell Entirety Of Real Property
- Regarding Real Property Located At 19 Bridgeport Road, Newport Coast, California
(First Amended Complaint filed 12/14/18)
(Second Amended Complaint filed 4/10/19)

FR: 1-23-19; 2-20-19; 5-8-19; 6-10-19

Docket 27

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will continue the status conference to November 9, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Phillip Barry Greer

Pro Se

Defendant(s):

Arlene C Biden

Represented By
Phillip Greer

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

CONT... Phillip Barry Greer

Chapter 7

Plaintiff(s):

Richard A Marshack

Represented By
Ryan D ODea

Chriss W. Street

Represented By
Timothy C Aires

Trustee(s):

Richard A Marshack (TR)

Represented By
James C Bastian Jr
Ryan D ODea

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

8:18-11759 Chester C Davenport

Chapter 7

Adv#: 8:18-01155 Naylor v. Sun et al

#20.00

CONT'D STATUS CONFERENCE Hearing RE: Chapter 7 Trustee's First Amended Complaint Against Bianca Sun And Yan Yu Sun For:

- (1) Imposition Of Resulting Trust;
 - (2) Imposition Of Constructive Trust;
 - (3) Avoidance Of Actual Intent Fraudulent Transfer Under 11 U.S.C. Section 548(a)(1)(A) Of An Interest In Real Property;
 - (4) Avoidance Of Constructive Fraudulent Transfer Under 11 U.S.C. Section 548(a)(1)(B) Of An Interest In Real Property;
 - (5) Avoidance Of Preferential Transfer Under 11 U.S.C. Section 547;
 - (6) Avoidance Of Actual Intent Fraudulent Transfer Under 11 U.S.C. Section 544 And 28 U.S.C. Section 3304 Of An Interest In Real Property;
 - (7) Recovery Of Transfers from Bianca Of An Interest In Real Property Per 11 U.S.C. Section 550;
 - (8) Recovery Of Transfer from Yan Of An Interest In Real Property Per 11 U.S.C. Section 550;
 - (9) Judgment Quieting Title;
 - (10) Declaratory Relief;
 - (11) Turnover Of Rental Value Pursuant To 11 U.S.C. Section 542;
 - (12) Turnover Of Interest In Real Property Which Is Property Of The Estate Pursuant To 11 U.S.C. Section 542;
 - (13) Avoidance Of Post-Petition Transfer Pursuant To 11 U.S.C. Section 549(a) Against Bianca Regarding 2014 Land Rover;
 - (14) Avoidance Of Actual Intent Fraudulent Transfer Under 11 U.S.C. Sections 548, 550 And CCCP Section 3439 Et Seq Against Bianca Regarding 2014 Land Rover;
 - (15) Avoidance Of Constructive Fraudulent Transfer Under 11 U.S.C. Sections 544, 548 And CCCP Section 3439 Et Seq Against Bianca Regarding 2014 Land Rover; And,
 - (16) Recovery Of Transfer Of An Interest In A 2014 Land Rover Per 11 U.S.C. Section 550
- (Complaint filed 8/3/18)
(Amended Complaint filed 3/25/19)
(Summons Issued On Amended Complaint On 3/25/19)

FR: 10-24-18; 3-27-19; 6-19-19

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

CONT... Chester C Davenport

Chapter 7

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will enter a scheduling order:

1. All discovery closes on December 31, 2019.
2. All discovery motions shall be heard before February 15, 2020.
3. All pretrial motions shall be heard before March 15, 2020.
4. Pretrial conference is set for April 15, 2020 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Chester C Davenport

Represented By
Jing Wang

Defendant(s):

Bianca Sun

Pro Se

Yan Yu Sun

Pro Se

Plaintiff(s):

Karen Sue Naylor

Represented By
Thomas H Casey

Trustee(s):

Karen S Naylor (TR)

Represented By
Kathleen J McCarthy
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

CONT... Chester C Davenport

Chapter 7

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

8:18-11759 Chester Davenport

Chapter 7

Adv#: 8:18-01208 Eastwest Partners Investment, LLC v. Davenport

#21.00

Hearing RE: Plaintiff's Motion For Default Judgment Under LBR 7055-1
(Motion filed 6/27/19)

Docket 30

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Chester Davenport Pro Se

Defendant(s):

Chester Davenport Pro Se

Movant(s):

Eastwest Partners Investment, LLC Represented By
Stella A Havkin

Plaintiff(s):

Eastwest Partners Investment, LLC Represented By
Stella A Havkin

Trustee(s):

Karen S Naylor (TR) Represented By
Kathleen J McCarthy
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

8:18-11792 Modern VideoFilm, Inc.

Chapter 11

#22.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Chapter 11 Petition filed on 5/16/18)

FR: 7-25-18; 11-14-18; 2-27-19; 7-10-19

Docket 0

***** VACATED *** REASON: CONTINUED TO JULY 17, 2019 AT 2:00
P.M. PER ORDER CONTINUING STATUS CONFERENCE ENTERED 7-
15-19 - (DOCKET NO. [175])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Modern VideoFilm, Inc.

Represented By
Garrick A Hollander

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

9:00 AM

8:19-10351 Lucy Ann Carmelita Rojo

Chapter 7

Adv#: 8:19-01072 Aiken v. Rojo

#23.00

STATUS CONFERENCE Hearing RE: Complaint - Dischargeability Of A Debt
[FRBP Rule 7001(6)]
(Complaint filed 4/18/19)

Docket 1

***** VACATED *** REASON: CONTINUED TO AUGUST 21, 2019 AT
9:00 A.M. PER ORDER GRANTING MOTION TO DISMISS
ADVERSARY COMPLAINT AND CONTINUANCE OF STATUS
CONFERENCE ENTERED 7-15-19 (DOCKET NO. [12])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lucy Ann Carmelita Rojo

Represented By
Jeffrey B Smith

Defendant(s):

Lucy Ann Carmelita Rojo

Pro Se

Plaintiff(s):

Jami Aiken

Represented By
Greg W Garrotto

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

10:00 AM

8:19-10477 Noemi Magana

Chapter 7

#1.00

Hearing RE: Pro se Reaffirmation Agreement Between Debtor and TD Auto Finance LLC
(Motion filed 5/23/19)

[RE: 2017 Ram Promaster - Amount: \$32, 342.12]

Docket 12

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Noemi Magana

Pro Se

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

10:00 AM

8:19-10575 Jim Reyes, Jr.

Chapter 7

#2.00

Hearing RE: Reaffirmation Agreement Between Debtor And Twenty-One-Eighty-Five, LLC
(Motion filed 5/21/19)

[RE: 2014 Honda Civic - Amount: \$7,349.19]

Docket 9

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Jim Reyes Jr.

Represented By
Amanda G Billyard

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

10:00 AM

8:19-11156 Mario Marsetti

Chapter 7

#3.00

Hearing RE: Reaffirmation Agreement Between Debtor And Eagle Community
Credit Union
(Motion filed 5/24/19)

**[RE: 2007 Lexu RX350 - Amount: \$2,212.19]
[VIN No.: 2T2GK31U57C016590]**

Docket 12

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire whether the car is insured and in good condition.

Party Information

Debtor(s):

Mario Marsetti

Represented By
James D. Hornbuckle

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

10:00 AM

8:19-11212 Marc Solomon Tenner

Chapter 7

#4.00

Hearing RE: Pro se Reaffirmation Agreement Between Debtor and Mercedes-Benz Financial Services USA LLC
(Motion filed 6/20/19)

[RE: 2014 Mercedes-Benz ML350W2 - Amount: \$31,403.12]

Docket 15

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Marc Solomon Tenner

Represented By
Marc Weitz

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

2:00 PM

8:18-11792 Modern VideoFilm, Inc.

Chapter 11

#1.00

Hearing RE: Approval Of Debtor's Disclosure Statement Accompanying
Debtor's First Amended Chapter 11 Plan
(D.S. filed 6/5/19)

Docket 168

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire how much cash is currently in the estate. If there is currently less cash in the estate than is necessary to pay all administrative claims in full on the effective date together with a reasonable estimate of the costs of prosecuting the avoidance actions, the Court would likely find that the proposed plan is not feasible unless the Debtor can identify an additional source of capital. The Court will not approve a disclosure statement proposing an infeasible plan.

Party Information

Debtor(s):

Modern VideoFilm, Inc.

Represented By
Garrick A Hollander
Andrew B Levin
Peter W Lianides

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 17, 2019

Hearing Room 6C

2:00 PM

8:18-11792 Modern VideoFilm, Inc.

Chapter 11

#2.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Chapter 11 Petition filed on 5/16/18)

FR: 7-25-18; 11-14-18; 2-27-19; 7-10-19; 7-17-19 at 9:00 a.m.

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into compliance with U.S. Trustee guidelines and requirements.

Next status conference: November 13, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Modern VideoFilm, Inc.

Represented By
Garrick A Hollander

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, July 18, 2019

Hearing Room 225

9:00 AM

6:16-20446 BioData Medical Laboratories, Inc.

Chapter 7

Adv#: 6:18-01119 Todd A. Frealy, Chapter 7 Trustee of the Bankruptc v. Uomoto et al

#1.00

STATUS CONFERENCE re: Complaint by Todd A. Frealy, Chapter 7 Trustee of the Bankruptcy Estate of BioData Medical Laboratories, Inc. against Akemi Uomoto, Henry Wallach. (Charge To Estate \$350). (Attachments: # 1 Adversary Cover Sheet) Nature of Suit: (14 (Recovery of money/property - other))

(Cont. from 5/16/19)

Docket 0

***** VACATED *** REASON: Cont. to 9/19/19 @ 9:00 a.m. - jc**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

BioData Medical Laboratories, Inc.

Represented By
Robert M Yaspan
Joseph N Darweesh

Defendant(s):

Akemi Uomoto

Represented By
Zev Shechtman

Henry Wallach

Represented By
Zev Shechtman

Plaintiff(s):

Todd A. Frealy, Chapter 7 Trustee of

Represented By
Kurt Ramlo
Juliet Y Oh
Eve H Karasik

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, July 18, 2019

Hearing Room 225

9:00 AM

CONT... BioData Medical Laboratories, Inc.

Chapter 7

Todd A Frealy

Trustee(s):

Todd A. Frealy (TR)

Represented By
Eve H Karasik
Jeffrey S Kwong
Juliet Y Oh
Carmela Pagay

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, July 18, 2019

Hearing Room 225

9:00 AM

6:16-20446 BioData Medical Laboratories, Inc.

Chapter 7

#2.00

Status Conference Hrg. on Chapter 7 Trustee's Motion filed 6/18/18 for entry of order authorizing payment of post-petition payroll taxes of the estate

(Cont. from 5/16/19)

Docket 548

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the hearing to September 19, 2019 at 9:00 a.m. in view of the pending motion to approve settlement.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

BioData Medical Laboratories, Inc.

Represented By
Robert M Yaspan
Joseph N Darweesh

Trustee(s):

Todd A. Frealy (TR)

Represented By
Eve H Karasik
Jeffrey S Kwong
Juliet Y Oh
Carmela Pagay

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, July 18, 2019

Hearing Room 225

9:00 AM

6:17-17512 Douglas Craig Woodard

Chapter 7

Adv#: 6:19-01075 Anderson v. Woodard et al

#3.00

STATUS CONFERENCE re: Complaint by Karl T. Anderson against Douglas Craig Woodard, Blithe Partners, LLC, Douglas C. Woodard, Jr., Janet M. Woodard, Paige Educational Trust, Trey Educational Trust. (Charge To Estate). (\$350.00) Nature of Suit: (13 (Recovery of money/property - 548 fraudulent transfer)),(02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))),(11 (Recovery of money/property - 542 turnover of property)),(91 (Declaratory judgment))

Docket 1

***** VACATED *** REASON: Cont. to 9/19/19 @ 9:00 a.m. by order signed on 7/2/19 - jc**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Douglas Craig Woodard	Pro Se
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Defendant(s):

Douglas Craig Woodard	Pro Se
Blithe Partners, LLC	Pro Se
Douglas C. Woodard, Jr.	Pro Se
Janet M. Woodard	Pro Se
Paige Educational Trust	Pro Se
Trey Educational Trust	Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, July 18, 2019

Hearing Room 225

9:00 AM

CONT... Douglas Craig Woodard

Chapter 7

Plaintiff(s):

Karl T. Anderson

Represented By
Melissa Davis Lowe

Trustee(s):

Karl T Anderson (TR)

Represented By
Leonard M Shulman
Melissa Davis Lowe

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, July 18, 2019

Hearing Room 225

9:00 AM

6:17-17512 Douglas Craig Woodard

Chapter 7

Adv#: 6:19-01075 Anderson v. Woodard et al

#4.00

Hrg. on Defendants' Motion filed 6/21/19 to Dismiss complaint for: (1) Failure to state a claim upon which relief can be granted; (2) Lack of Standing; and (3) Lack of subject matter jurisdiction

Docket 4

***** VACATED *** REASON: Cont. to 9/19/19 @ 9:00 a.m. by order signed on 7/2/19 - jc**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Douglas Craig Woodard

Pro Se

Defendant(s):

Douglas Craig Woodard

Represented By
Michael G Spector

Blithe Partners, LLC

Represented By
Michael G Spector

Douglas C. Woodard, Jr.

Represented By
Michael G Spector

Janet M. Woodard

Represented By
Michael G Spector

Paige Educational Trust

Represented By
Michael G Spector

Trey Educational Trust

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, July 18, 2019

Hearing Room 225

9:00 AM

CONT... Douglas Craig Woodard

Chapter 7

Michael G Spector

Plaintiff(s):

Karl T. Anderson

Represented By
Melissa Davis Lowe

Trustee(s):

Karl T Anderson (TR)

Represented By
Leonard M Shulman
Melissa Davis Lowe

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, July 18, 2019

Hearing Room 225

9:00 AM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

Adv#: 6:18-01236 Fleming, Sr v. Havasu Lakeshore Investments

#5.00

Hrg on Judgment Lien Creditor Havasu Lakeshore Investments LLC's Motion filed 6/21/19 to Dismiss Plaintiff's Amended Complaint Rule (12)(b)(6)

(Tele. appr. Martin Elipkulos, rep. Defendants, Havasu Lakeshore Investments)

Docket 31

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant Debtor's request for judicial notice.

Debtor alleges that HLI intentionally omitted to disclose to the prosecuting authority certain material facts that, when finally disclosed, prompted the prosecuting authority to bring felony perjury charges against Debtor. Debtor also contends that such alleged facts came to light after the First Amended Complaint was filed.

The Court will deny HLI's motion to dismiss without prejudice to permit Debtor to file a second amended complaint alleging such facts as well as other matters addressed in the opposition to the motion but not the first amended complaint (for example, injury to creditors in the form of interest accruals). The Second Amended Complaint shall be filed on or before August 17, 2019.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, July 18, 2019

Hearing Room 225

9:00 AM

CONT... Terry Lee Fleming, Sr

Chapter 11

Defendant(s):

Havasu Lakeshore Investments

Represented By
Martin A Eliopulos
Gregory M. Garrison

Plaintiff(s):

Terry Lee Fleming Sr

Represented By
James E Till

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, July 18, 2019

Hearing Room 225

9:00 AM

6:18-14202 Armando C Meras

Chapter 7

Adv#: 6:19-01068 Pringle v. Meras et al

#6.00

STATUS CONFERENCE re: complaint for Denial of Discharge

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will issue a scheduling order:

1. All discovery closes January 31, 2020.
2. All discovery motions shall be heard before February 29, 2020.
3. All pretrial motions shall be heard before March 31, 2020.
4. Pretrial conference is set for April 23, 2020 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Armando C Meras

Represented By
Yoon O Ham

Defendant(s):

Armando C. Meras

Pro Se

Veronica Y. Meras

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, July 18, 2019

Hearing Room 225

9:00 AM

CONT... Armando C Meras

Chapter 7

Joint Debtor(s):

Veronica Y Meras

Represented By
Yoon O Ham

Plaintiff(s):

John P. Pringle

Represented By
Toan B Chung

Trustee(s):

John P Pringle (TR)

Represented By
Toan B Chung

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, July 18, 2019

Hearing Room 225

10:00 AM

6:19-12954 Mario A Castro and Maria De Los Angeles Castro

Chapter 7

#1.00

Hrg on Approval of Reaffirmation Agreement filed 6/24/19 Between Debtor and JPMorgan Chase Bank, NA, in the amount of \$10,462.55

Re: 2015 Chrysler 200

Docket 13

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Mario A Castro	Pro Se
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Joint Debtor(s):

Maria De Los Angeles Castro	Pro Se
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Trustee(s):

Lynda T. Bui (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, July 18, 2019

Hearing Room 225

10:00 AM

6:19-13990 Nereyda Benitez

Chapter 7

#2.00

Hrg. on Approval of Reaffirmation Agreement filed 6/21/19 Between Debtor and Santander Consumer USA Inc. in the amount of \$12,151.10

Re: 2015 Nissan Sentra

Docket 7

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Nereyda Benitez

Pro Se

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, July 18, 2019

Hearing Room 225

10:00 AM

6:19-14175 Benjamin S Kelchner and Candice Kelchner

Chapter 7

#3.00

Hrg. on approval of Reaffirmation Agreement filed 7/3/.19 Between Debtor and San Diego County Credit Union, in the amount of \$18,892.94

Re: 2014 Ford Mustang

Docket 22

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Benjamin S Kelchner

Represented By
Daniel King

Joint Debtor(s):

Candice Kelchner

Represented By
Daniel King

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, July 18, 2019

Hearing Room 225

10:00 AM

6:19-14175 Benjamin S Kelchner and Candice Kelchner

Chapter 7

#4.00

Hrg. on Approval of Reaffirmation Agreement filed 6/25/19 Between Debtor and San Diego County Credit Union, in the amount of \$9,825.13

Re: 2010 Ford F-150

Docket 16

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Benjamin S Kelchner

Represented By
Daniel King

Joint Debtor(s):

Candice Kelchner

Represented By
Daniel King

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, July 18, 2019

Hearing Room 225

10:00 AM

6:19-14175 Benjamin S Kelchner and Candice Kelchner

Chapter 7

#5.00

Hrg. on Approval of Reaffirmation Agreement filed 6/25/19 Between Debtor and San Diego County Credit Union, in the amount of \$23,031.06

Re: 2017 Ford Fusion

Docket 17

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Benjamin S Kelchner

Represented By
Daniel King

Joint Debtor(s):

Candice Kelchner

Represented By
Daniel King

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 24, 2019

Hearing Room 6C

2:00 PM

8:19-11340 Roger G. Woods and Mary S. Woods

Chapter 13

#1.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 11

*** VACATED *** REASON: RENOTICED TO JULY 3, 2019 AT 2:00
P.M. - (DOCKET NO. [20])

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Roger G. Woods

Represented By
Sam Benevento

Joint Debtor(s):

Mary S. Woods

Represented By
Sam Benevento

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 24, 2019

Hearing Room 6C

2:00 PM

8:19-11351 Lorraine Jeanette Ortiz

Chapter 13

#2.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: RENOTICED TO JULY 3, 2019 AT 2:00
P.M. - (DOCKET NO. [17])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lorraine Jeanette Ortiz

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 24, 2019

Hearing Room 6C

2:00 PM

8:19-11407 Hugh Robinson

Chapter 13

#3.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: RENOTICE TO JULY 3, 2019 AT 2:00 P.M.
- (DOCKET NO. [20])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Hugh Robinson

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 24, 2019

Hearing Room 6C

2:00 PM

8:19-11435 Ernesto Rafael Montalvo

Chapter 13

#4.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 2

***** VACATED *** REASON: RENOTICE TO JULY 3, 2019 AT 2:00 P.M.
- (DOCKET NO. [17])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Ernesto Rafael Montalvo

Represented By
Claudia C Osuna

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 24, 2019

Hearing Room 6C

2:00 PM

8:19-11454 Laura Jean Holloway

Chapter 13

#5.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 2

***** VACATED *** REASON: RENOTICE TO JULY 3, 2019 AT 2:00 P.M.
- (DOCKET NO. [12])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Laura Jean Holloway

Represented By
Anthony B Vigil

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 24, 2019

Hearing Room 6C

2:00 PM

8:19-11460 David Michael Weisman

Chapter 13

#6.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: RENOTICED TO JULY 3, 2019 AT 2:00
P.M. - (DOCKET NO. [15])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

David Michael Weisman

Represented By
Andrew Moher

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, July 24, 2019

Hearing Room 6C

3:00 PM

8:14-14604 Felix Martinez

Chapter 13

#1.00

CONT'D Hearing RE: Trustee's Verified Motion To Dismiss Case Due To
Material Default Of A Plan Provision
(Motion filed 2/19/19)

FR: 4-10-19

Docket 79

***** VACATED *** REASON: CONTINUED TO AUGUST 7, 2019 AT 3:00
P.M. PER ORDER CONTINUING MOTION TO DISMISS CASE
ENTERED 4-17-19 - (DOCKET NO. [86])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Felix Martinez

Represented By
Joseph A Weber
Fritz J Firman

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, August 5, 2019

Hearing Room 6C

9:00 AM

8:15-11553 Clarence Blackburn Moore, Jr.

Chapter 13

#1.00

Motion for relief from stay [Real Property]

U.S. Bank National Association, As Trustee For Harborview Mortgage Loan Trust 2005-16, Mortgage Loan Pass-Through Certificates, Series 2005-16 vs. DEBTOR
(Motion filed 7/11/19)

[RE: 342 Flyers Lane, Tustin, CA 92782]

Docket 83

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Clarence Blackburn Moore Jr.

Represented By
Michael Jones
Sara Tidd

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, August 5, 2019

Hearing Room 6C

9:00 AM

8:15-15792 James Jinwoo Kim

Chapter 13

#2.00

Motion for relief from stay [Action In Non-Bankruptcy Forum]

Accedence, Inc. vs. DEBTOR
(Motion filed 7/9/19)

**[RE: Case Name: In RE: James Kim, Mradius, LLC]
[Docket Number: 30-2017-00946272-CL-CO-CJC]
[Pending In: Superior Court Of California, County Of Orange]**

Docket 212

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

James Jinwoo Kim

Represented By
Amanda G Billyard
Andy C Warshaw

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, August 5, 2019

Hearing Room 6C

9:00 AM

8:16-14720 Alberto Carlos Jimenez and Sharon Rivera Jimenez

Chapter 13

#3.00

Motion for relief from stay [Real Property]

U.S.Bank, National Association As Legal Title Trustee For Truman 2016 SC6
Title Trust vs. DEBTOR
(Motion filed 6/27/19)

[RE: 16842 Aries Drive, Yorba Linda, CA 92886]

Docket 44

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1) unless Debtors are current at the time of the hearing or the Debtors and Movant have stipulated to an adequate protection order.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Alberto Carlos Jimenez

Represented By
Bryn C Deb

Joint Debtor(s):

Sharon Rivera Jimenez

Represented By
Bryn C Deb

Movant(s):

U.S. Bank National Association as

Represented By
Ashish R Rawat
Diane Weifenbach

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, August 5, 2019

Hearing Room 6C

9:00 AM

CONT... Alberto Carlos Jimenez and Sharon Rivera Jimenez

Chapter 13

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, August 5, 2019

Hearing Room 6C

9:00 AM

8:19-12555 Kelly Holdings, LLC

Chapter 7

#4.00

Motion for relief from stay [Action In Non-Bankruptcy Forum]

E&G Investments, LLC, And Alessandro Chiocchetti vs. DEBTOR
(Motion filed 7/15/19)

[RE: Case Name: E&G Investments, LLC et al. v. ERA Ventures, LLC, et al.]

[Docket Number: 30-2017-00910951-CU-BC-CJC; JAMS #1200054208]

[Pending In: Superior Court Of California, County Of Orange; JAMS]

Docket 5

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1). The Court makes no finding of bad faith by the Debtor.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Kelly Holdings, LLC

Represented By
Gary Polston

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, August 5, 2019

Hearing Room 6C

9:00 AM

8:19-11047 Eric Wayne Mydland

Chapter 7

#5.00

Motion for relief from stay [Personal Property]

Bank Of America vs. DEBTOR
(Motion filed 6/26/19)

[RE: N 2016 Maserati Quattroporte - VIN NO. ZAM56PPA6G1176563]

Docket 16

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Eric Wayne Mydland

Represented By
Bryant C MacDonald

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, August 5, 2019

Hearing Room 6C

9:00 AM

8:19-12259 Raymond Harold Griffith

Chapter 7

#6.00

Motion for relief from stay [Unlawful Detainer]

Seabrook Apartments, LLC
(Motion filed 7/9/19)

[RE: 41 Brookview, Dana Point, CA 92629]

Docket 10

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Raymond Harold Griffith

Represented By
Timothy McFarlin

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, August 5, 2019

Hearing Room 6C

9:00 AM

8:19-12375 South Coast Behavioral Health, Inc.

Chapter 11

#7.00

CONT'D Final Approval Hearing RE: Emergency Motion Of Debtor And Debtor In Possession For An Order: (1) Directing All Insurance Companies And Other Parties Owing Funds To Debtor To Remit Payments To Debtor; (2) Authorizing Use Of Cash Collateral On An Interim Basis; (3) Granting Replacement Liens; (4) Scheduling A Final Hearing On Permanent Use Of Cash Collateral; and (5) After Hearing, Authorizing Permanent use Of Cash Collateral (Motion filed 6/20/19)

FR: 6-21-19

Docket 2

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

South Coast Behavioral Health, Inc.

Represented By
Michael N Nicastro

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, August 5, 2019

Hearing Room 6C

9:00 AM

8:19-12375 South Coast Behavioral Health, Inc.

Chapter 11

#8.00

CONT'D Hearing RE: Motion For Order Rejecting Prepetition Leases On Shortened Notice

[As To Rejection Of Lease Of 1772-1776 Robertson Boulevard, Los Angeles, California] ["Winters Lease"]

(Motion filed 7/1/19)

(OST Entered 7/2/19)

FR: 7-8-19

Docket 65

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire as to whether possible bidders for the Winters Lease are going forward with the lease acquisition.

Party Information

Debtor(s):

South Coast Behavioral Health, Inc.

Represented By
Michael N Nicaastro
Sean A OKeefe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, August 5, 2019

Hearing Room 6C

9:00 AM

8:19-12375 South Coast Behavioral Health, Inc.

Chapter 11

#9.00

CONT'D Hearing RE: Motion Confirming Application Of Automatic Stay And Enforcing Automatic Stay
(Motion filed 7/12/19)

FR: Advanced from 8-5-19 at 2:00 p.m.

Docket 94

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and confirm that the automatic stay applies to the McPhails in view of the alter ego allegations in the state court complaint.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

South Coast Behavioral Health, Inc.

Represented By
Michael N Nicastrro
Sean A OKeefe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, August 5, 2019

Hearing Room 6C

9:00 AM

8:16-14780 Cimberly Gonzales

Chapter 13

#10.00

CONT'D Motion for relief from stay [Real Property]

US Bank Trust National Association, As Trustee Of The Igloo Series III Trust vs.
DEBTOR
(Motion filed 6/13/19)

[RE: 166 N. Singlewood Street, Unit No. 3, Orange, CA 92869]

FR: 7-8-19

Docket 57

***** VACATED *** REASON: OFF CALENDAR - ORDER GRANTING
RELIEF FROM STAY ENTERED 7-18-10 - ADEQUATE PROTECTION
AGREEMENT - (DOCKETL NO. [63])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Cimberly Gonzales

Represented By
Amanda G Billyard

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, August 5, 2019

Hearing Room 6C

2:00 PM

8:19-10198 Allan Eli Gindi and Carol June Gindi

Chapter 11

#1.00

CONT'D Hearing RE :Application For Payment Of: Final Fees And/Or Expenses
(11 U.S.C. Section 331) Period: 1/18/2019 to 6/12/2019
(Application Filed 6/22/19)

**[RE: TOTARO & SHANAHAN - Debtors' Attorney]
[Fees: \$50,930.00; Expenses: \$0.00]**

Docket 113

***** VACATED *** REASON: CONTINUED TO AUGUST 12, 2019 AT
2:00 P.M. PER ORDER ENTERED 7-31-19 (DOCKET NO. [164])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Allan Eli Gindi

Represented By
Michael G Spector
Vicki L Schenum

Joint Debtor(s):

Carol June Gindi

Represented By
Michael G Spector
Vicki L Schenum
Candice Bryner

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, August 5, 2019

Hearing Room 6C

2:00 PM

8:19-10198 Allan Eli Gindi and Carol June Gindi

Chapter 11

#1.10

Hearing RE: Ex Parte Application To File Brief Under Seal
(Application filed 7/26/19)

Docket 156

***** VACATED *** REASON: OFF CALENDAR - ORDER GRANTING
EX PARTE APPLICATION ENTERED 7-29-19 - (DOCKET NO. [159])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Allan Eli Gindi

Represented By
Michael G Spector
Vicki L Schennum

Joint Debtor(s):

Carol June Gindi

Represented By
Michael G Spector
Vicki L Schennum
Candice Bryner

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, August 5, 2019

Hearing Room 6C

2:00 PM

8:19-11047 Eric Wayne Mydland

Chapter 7

#2.00

Hearing RE: Florida Beauty Flora, Inc.'s Motion For Extension Of Time To Object To Debtor's Discharge And Dischargeability Of Debt (Motion filed 6/28/19)

Docket 18

Tentative Ruling:

APPEARANCES REQUIRED.

Under Federal Rules of Bankruptcy Procedure 4004(b)(1) and 4007(c), a bankruptcy court can extend "for cause" the deadlines for filing a complaint under Bankruptcy Code sections 727 and 523 objecting to a debtor's discharge or objecting to the discharge of a specific debt. The party moving to extend such deadline has the burden of proof as to the presence of good cause. Under Local Bankruptcy Rule 9013-1(c)(3)(B), a motion must set forth "all reasons in support" of the motion.

Here, Florida Beauty Flora, Inc.'s motion to extend the time for filing a complaint under section 523 or 727 is threadbare on the existence of "good cause." The motion merely states that "[d]ue to the nature of the debt owed to Florida Beauty, undersigned requires additional time to thoroughly investigate the matter and determine the extent Florida Beauty's claims [sic] pursuant to 11 U.S.C. §§ 523(a) and 727(a)." This is a woefully inadequate showing of good showing, effectively amounting to no showing at all. Absent the reply filed by Florida Beauty Flora, Inc., the Court most certainly would have denied the motion with prejudice on the ground that no good cause had been shown.

The reply, however, adds additional detail: Florida Beauty Flora, Inc. alleges that Debtor has not disclosed all his assets, including two safe deposit boxes at Bank of America, and would like time to investigate this prior to filing a complaint.

The question before the Court is whether the Court ought to enforce Local Bankruptcy

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, August 5, 2019

Hearing Room 6C

2:00 PM

CONT... Eric Wayne Mydland Chapter 7

Rule 9013-1(c)(3)(B) by disregarding the information set forth in the reply or take some other action that is less harsh to the movant.

The Court continues this hearing to September 23, 2019 at 2:00 p.m. Debtor may file a brief on or before August 23, 2019 addressing the legal consequences of a failure to set forth all grounds for relief in a motion and, additionally, whether the information set forth in the reply (if considered by the Court) constitutes good cause for granting the motion. Florida Beauty Flora, Inc. may file a responsive pleading on or before September 6, 2019. Debtor may file a reply on or before September 13, 2019.

The parties are on notice that even if the Court decides that good cause has been shown and the motion should be granted, the Court will likely sanction counsel for Florida Beauty Flora, Inc. in an amount equal to the attorney's fees and costs expended by Debtor in preparing the pleadings described in the preceding paragraph for failure to comply with Local Bankruptcy Rule 9013-1(c).

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Eric Wayne Mydland

Represented By
Bryant C MacDonald

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, August 5, 2019

Hearing Room 6C

2:00 PM

8:19-11558 Raymond L Lamy

Chapter 7

#3.00

Hearing RE: Trustee's Objection to Debtor's Claim of Exemption
(Objection filed 7/5/19)

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion, sustain the objection and disallow the exemption of \$78,000 in its entirety. Debtor has failed to meet his burden of proving up the alleged exemption.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Raymond L Lamy

Represented By
Antonio John Ibarra

Trustee(s):

Richard A Marshack (TR)

Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, August 5, 2019

Hearing Room 6C

2:00 PM

8:19-12375 South Coast Behavioral Health, Inc.

Chapter 11

#4.00

Hearing RE: Motion Confirming Application Of Automatic Stay And Enforcing Automatic Stay
(Motion filed 7/12/19)

Docket 94

***** VACATED *** REASON: ADVANCED TO AUGUST 5, 2019 AT 9:00
A.M. PER ORDER ADVANCING HEARING ENTERED 7-15-19 -
(DOCKET NO. [98])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

South Coast Behavioral Health, Inc.

Represented By
Michael N Nicastro
Sean A OKeefe

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 6, 2019

Hearing Room 225

9:00 AM

6:19-11021 Willy Martin Albrecht

Chapter 7

#1.00

Sissac Legal Group PC - movant attorney

Motion for relief from stay

Capital One Auto Finance vs DEBTOR
(Motion filed 6/21/19)

Re: 2011 SUBARU Outback 2.5i Premium Wagon 4D

Docket 16

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Willy Martin Albrecht

Represented By
Dina Farhat

Movant(s):

Capital One Auto Finance, a division

Represented By
Cheryl A Skigin

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 6, 2019

Hearing Room 225

9:00 AM

6:19-12041 Patricia Saenz

Chapter 7

#2.00

McCarthy & Holthus, LLP - movant attorney

Motion for Relief from Stay

Select Portfolio Servicing, Inc. vs. DEBTOR
(Motion filed 6/28/19)

Re: 7970 Virtue Vista Drive, Riverside, CA 92509

(Tele. appr. Nancy Lee, rep. creditor, Select Portfolio Serv. Inc.)

Docket 29

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Patricia Saenz

Represented By
Emilia N McAfee

Movant(s):

Select Portfolio Servicing, Inc., its

Represented By
Nancy L Lee

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 6, 2019

Hearing Room 225

9:00 AM

6:19-12719 Omar Zapata and Amanda Zapata

Chapter 7

#3.00

Barrett Daffin Frappier Treder & Weiss LLP - movant attorney

Motion for relief from stay

Lakeview Loan Servicing vs DEBTORS
(Motion filed 6/27/19)

RE: 9373 8th Avenue, Hesperia, CA 92345

(Tele. appr. Darlene C. vigil, rep. creditor, Lakeview Loan Serv., LLC)

Docket 16

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Omar Zapata

Represented By
Todd L Turoci

Joint Debtor(s):

Amanda Zapata

Represented By
Todd L Turoci

Movant(s):

Lakeview Loan Servicing, LLC

Represented By
Darlene C Vigil

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 6, 2019

Hearing Room 225

9:00 AM

CONT... Omar Zapata and Amanda Zapata

Chapter 7

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 6, 2019

Hearing Room 225

9:00 AM

6:19-14506 JOIRIDE, Inc.

Chapter 7

#4.00

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

Motion for Relief from Stay

Mercedes-Benz Financial Services USA LLC vs. DEBTOR
(Motion filed 7/9/19)

Re: 2017 Mercedes-Benz M3CAE6; VIN# WDAPF1CD9HP386621

Docket 10

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

JOIRIDE, Inc.

Represented By
Summer M Shaw

Movant(s):

Mercedes-Benz Financial Services

Represented By
John H Kim

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 6, 2019

Hearing Room 225

9:00 AM

6:19-14510 Mario Anthony Hernandez

Chapter 7

#5.00

Law Offices of William E. Winham - movant attorney

Motion for Relief from Stay

Tom Reese vs. DEBTOR
(Motion filed 7/2.19)

Re: 7012 Victoria Ave, Highland, CA

Docket 11

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1) and grant annulment. However, the Court will not waive the 14-day stay.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Mario Anthony Hernandez

Represented By
Ronald W Ask

Movant(s):

Tom Reese

Represented By
William E Windham

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 6, 2019

Hearing Room 225

9:00 AM

6:19-14554 Oscar Del Cid Jr.

Chapter 7

#6.00

The Levine Firm, APC - movant attorney

Motion for Relief from Stay

Rudolpho Wilcox vs. Debtor
(Motion filed 7/11/2019)

RE: Rudolpho Wilcox vs. Oscar Del Sid - Case no: CIV DS 1906939

(Tele. appr. Steven M. Sweat, rep. claimant, Rudolpho Wilcox)

Docket 11

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Oscar Del Cid Jr.

Represented By
William E Windham

Movant(s):

Rudolpho Wilcox

Represented By
Olesia Boulaev Levine

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 6, 2019

Hearing Room 225

9:00 AM

6:19-14839 Gary William Lane and Robin Ann Lane

Chapter 7

#7.00

Aldridge Pite, LLP - movant attorney

Motion for Relief from Stay

JPMorgan Chase Bank vs. DEBTORS
(Motion filed 7/10/19)

Re: RE: 2016 Ford Expedition VIN No.1FMJK1HTXGEF23019

(Tele. appr. Josephine E. Salmon, rep. creditor, JPMorgan Chase Bank)

Docket 10

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Gary William Lane

Represented By
David L Nelson

Joint Debtor(s):

Robin Ann Lane

Represented By
David L Nelson

Movant(s):

JPMorgan Chase Bank, N.A.

Represented By
Wendy A Locke

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 6, 2019

Hearing Room 225

9:00 AM

CONT... Gary William Lane and Robin Ann Lane

Chapter 7

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 6, 2019

Hearing Room 225

9:00 AM

6:19-15056 Armando Miranda

Chapter 7

#8.00

Shapiro, Van Ess, Sherman & Marth, LLP - movant attorney

Motion for Relief from Stay

Deutsche Bank Trust Company Americas vs. DEBTOR
(Motion filed 7/1/19)

Re: 3279 Temescal Avenue, Norco, CA 92860

(Tele. appr. Angie M. Marth, rep. creditor, Deutsche Bank Trust Co.)

Docket 8

Tentative Ruling:

APPEARANCES REQUIRED.

The Court finds bad faith on the Debtor's part and that the filing of the petition was part of a scheme to hinder, delay and defraud the movant.

The Court grants the motion under § 362(d)(1) and (d)(4).

The Court grants all the relief sought by movant.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Armando Miranda

Pro Se

Movant(s):

DEUTSCHE BANK TRUST

Represented By
Angie M Marth

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 6, 2019

Hearing Room 225

9:00 AM

CONT... Armando Miranda

Chapter 7

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 6, 2019

Hearing Room 225

9:00 AM

6:19-15333 Christian Sarkisian

Chapter 7

#9.00

Buchalter, A Professional Corporation - movant attorney

Motion for relief from stay

The Golden 1 Credit Union vs DEBTOR
(Motion filed 6/28/19)

RE: 2015 Kia Soul

Docket 7

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Christian Sarkisian

Represented By
David L Nelson

Movant(s):

Golden 1 Credit Union

Represented By
Mirco J Haag

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 6, 2019

Hearing Room 225

9:00 AM

6:19-15434 Lisandro Tejada Jerez and Veronica Dolores Morales De

Chapter 7

#10.00

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

Motion for Relief from Stay

TD Auto Finance LLC vs. DEBTORS
(Motion filed 7/3/19)

Re: 2016 NISSAN SENTRA

Docket 9

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Lisandro Tejada Jerez

Represented By
Gilbert A Diaz

Joint Debtor(s):

Veronica Dolores Morales De Tejada

Represented By
Gilbert A Diaz

Movant(s):

TD Auto Finance LLC

Represented By
Jennifer H Wang

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 6, 2019

Hearing Room 225

9:00 AM

6:19-15712 Marco Antonio Martinez

Chapter 7

#11.00

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

Motion for Relief from Stay

TD Auto Finance LLC vs. DEBTOR, Karl T. Anderson, trustee
(Motion filed 7/10/19)

Re: 2017 CHEVROLET SILVERADO VIN 3GCUCRER2HG486869

Docket 9

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Marco Antonio Martinez

Represented By
James Geoffrey Beirne

Movant(s):

TD Auto Finance LLC

Represented By
Jennifer H Wang

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 6, 2019

Hearing Room 225

2:00 PM

6:14-14532 Reth Neang

Chapter 7

#1.00

Hrg. on Debtor's Motion for Order to Release Funds to Debtor and close case

Docket 19

***** VACATED *** REASON: Cont. to 9/10/19 @ 2:00 p.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Reth Neang

Represented By
Yolanda Flores-Burt

Movant(s):

Reth Neang

Represented By
Yolanda Flores-Burt

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 6, 2019

Hearing Room 225

2:00 PM

6:16-14576 USA Sales, Inc.

Chapter 11

#2.00

Hrg. on Debtor's Motion for order approving compromise of claims and approving form of settlement agreement with California CDTF of Tax and Fee Administration

Docket 341

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant each of the motions in the main bankruptcy case and the pending adversary proceeding.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

USA Sales, Inc.

Represented By

Daren M Schlecter

Rachel S Milman Esq

A. Lavar Taylor

Lisa Nelson

Movant(s):

USA Sales, Inc.

Represented By

Daren M Schlecter

Daren M Schlecter

Rachel S Milman Esq

Rachel S Milman Esq

A. Lavar Taylor

A. Lavar Taylor

Lisa Nelson

Lisa Nelson

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 6, 2019

Hearing Room 225

2:00 PM

CONT... USA Sales, Inc.

Chapter 11

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 6, 2019

Hearing Room 225

2:00 PM

6:16-14576 USA Sales, Inc.

Chapter 11

Adv#: 6:16-01302 USA Sales, Inc. v. California State Board Of Equalization et al

#3.00

Hrg. on Plaintiff's motion for order approving compromise of claims and approving form of settlement agreement with California Department of Tax and Fee Administration

Docket 54

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant each of the motions in the main bankruptcy case and the pending adversary proceeding.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

USA Sales, Inc.

Represented By
Daren M Schlecter
Rachel S Milman Esq
A. Lavar Taylor
Lisa Nelson

Defendant(s):

California State Board Of

Represented By
Ronald N Ito

California Department of Tax and

Represented By
Lisa W Chao

Movant(s):

USA Sales, Inc.

Represented By
Lisa Nelson
A. Lavar Taylor

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 6, 2019

Hearing Room 225

2:00 PM

CONT... USA Sales, Inc.

Chapter 11

Daren M Schlecter
Bruce A Emar

Plaintiff(s):

USA Sales, Inc.

Represented By
Lisa Nelson
A. Lavar Taylor
Daren M Schlecter
Bruce A Emar

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 6, 2019

Hearing Room 225

2:00 PM

6:18-10210 Patricia Anne Wentworth

Chapter 7

#4.00

Hrg. on approval of trustee's final report; applications for compensation

Docket 0

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant and allow:

Trustee's fees: \$1,195.50

Trustee's expenses: \$52.41

Bond premium: \$2.86

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Patricia Anne Wentworth

Represented By
Robert W Ripley

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 6, 2019

Hearing Room 225

2:00 PM

6:18-13434 WILLIAM LOUIS BRYAN, III

Chapter 7

#5.00

Hrg on Trustee's Final Report and Applications for Compensation

EH _____

(Tele. appr. Lynda T. Bui, rep. Ch 7 Trustee)

Docket 60

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant and allow:

Trustee's fees: \$15,932.71

Trustee's expenses: \$934.93

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

WILLIAM LOUIS BRYAN III

Represented By
Brian J Soo-Hoo

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 6, 2019

Hearing Room 225

2:00 PM

6:18-17748 Andrew Jauregui Ruvalcaba and Rosario Mendoza

Chapter 7

#6.00

Hrg. on approval trustee's final report; applications for compensation

Docket 0

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant and allow:

Trustee's fees: \$1,508.10

Trustee's expenses: \$70.18

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Andrew Jauregui Ruvalcaba

Represented By
Norma Duenas

Joint Debtor(s):

Rosario Mendoza Ruvalcaba

Represented By
Norma Duenas

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 6, 2019

Hearing Room 225

2:00 PM

6:18-18176 Victor Miguel Guzman

Chapter 7

#7.00

Hrg. on approval trustee's final report; applications for compensation

Docket 20

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant and allow:

Trustee's fees: \$605.50

Trustee's expenses: \$111.00

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Victor Miguel Guzman

Represented By
Daniel King

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 6, 2019

Hearing Room 225

2:00 PM

6:18-20224 Jennifer Johnson

Chapter 7

#8.00

Hrg on Trustee's Motion filed 6/27/19 For Sale of Property of the Estate under Section 363(b); Approving Payment of Real Estate Commission and Reimbursement of Expenses; and Granting Related Relief

(Tele. appr. Josephine E. Salmon, rep. creditor, PNC Bank, N.A.)

Docket 37

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will approve the stipulation between the Trustee and the homeowners' association.

The Court will grant the motion on the terms specified in PNC Bank, N.A.'s conditional non-opposition (PNC Bank, N.A. is to be paid in full out of escrow).

The Court will inquire whether there are any overbidders.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Jennifer Johnson

Represented By
Susan Jill Wolf

Movant(s):

Howard B Grobstein (TR)

Represented By
Leonard M Shulman
Melissa Davis Lowe

Trustee(s):

Howard B Grobstein (TR)

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 6, 2019

Hearing Room 225

2:00 PM

CONT...

Jennifer Johnson

Leonard M Shulman
Melissa Davis Lowe

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 6, 2019

Hearing Room 225

2:00 PM

6:19-14831 Jean Presichi

Chapter 7

#9.00

Hrg. U.S. Trustee's Motion filed 7/2/19 For Order Compelling Attorney to File Disclosure Of Compensation Pursuant to 11 U.S.C. 329 And FRBP 2016

Docket 10

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and order Mr. Giron to file a Statement of Attorney Compensation on or before August 20, 2019.

UNITED STATES TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Jean Presichi

Represented By
Lionel E Giron

Movant(s):

United States Trustee (RS)

Represented By
Abram Feuerstein esq

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

9:00 AM

8:19-10058 Joy Omoderi Amagboruju Miles

Chapter 11

#1.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 1/7/19)

FR: 3-13-19

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into the Debtor's compliance with U.S. Trustee guidelines and requirements.

Next status conference: October 23, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Joy Omoderi Amagboruju Miles

Represented By
Onyinye N Anyama

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

9:00 AM

8:19-10616 Robert Michael Elliott

Chapter 7

Adv#: 8:19-01079 Cochrane v. Elliot

#2.00

Hearing RE: Motion To Dismiss Complaint To Determine Dischargeability Of Debt Under 11 U.S.C. Sections 523(a)92) And 523(a)(6) (Motion filed 5/31/19)

Docket 5

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion with leave to amend as to the first cause of action under 11 U.S.C. § 523(a)(2)(A).

The Court will grant the motion without leave to amend as to the second cause of action under 11 U.S.C. § 523(a)(6). The complaint fails to allege that defendant performed the operation with the intent of injuring plaintiff.

DEFENDANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Robert Michael Elliott

Represented By
Renee Nasiri

Defendant(s):

Robert Michael Elliot

Represented By
David R Flyer

Plaintiff(s):

Kevin Cochrane

Represented By
Jason P. Saccuzzo
John W Cutchin

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

9:00 AM

CONT... Robert Michael Elliott

Chapter 7

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

9:00 AM

8:19-10616 Robert Michael Elliott

Chapter 7

Adv#: 8:19-01079 Cochrane v. Elliot

#3.00

STATUS CONFERENCE Hearing RE: Complaint To Determine Dischargeability Of Debt Under 11 U.S.C. Sections 523(a)(2), 523(a)(3), 523(a)(4) And 523(a)(6) (Complaint filed 5/2/19)

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the status conference to October 23, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Robert Michael Elliott

Represented By
Renee Nasiri

Defendant(s):

Robert Michael Elliot

Pro Se

Plaintiff(s):

Kevin Cochrane

Represented By
Jason P. Saccuzzo
John W Cutchin

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

9:00 AM

8:19-11212 Marc Solomon Tenner

Chapter 7

Adv#: 8:19-01094 DeLuca et al v. Tenner

#4.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Determine Dischargeability Of Debt:

1. 11 USC Section 523(a)(2)(A) - False Pretenses, False Representation, Actual Fraud;
2. 11 USC Section 523(a)(4) - Embezzlement, Larceny
3. 11 USC Section 523(a)(6) - Willful And Malicious Injury To Property (Complaint filed 5/23/19)

FR: 7-10-19

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

Based upon the parties' request for mediation in the Joint Status Report, the Court will order the adversary proceeding into mediation. The parties shall file a mediation stipulation and lodge an order thereon on or before September 7, 2019.

The Court continues the status conference to January 29, 2020 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Marc Solomon Tenner

Represented By
Marc Weitz

Defendant(s):

Marc Solomon Tenner

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

9:00 AM

CONT... Marc Solomon Tenner

Chapter 7

Plaintiff(s):

John DeLuca

Represented By
Timothy F Umbreit

Lenore DeLuca

Represented By
Timothy F Umbreit

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

9:00 AM

8:19-11987 Enalaysys Corporation

Chapter 11

#5.00

STATUS CONFERENCE Hearng RE: (1) Status Of Chapter 11 Case; And (2) Requiring Report On Status Of Chapter 11 Case (Petition filed 5/23/19)

Docket 9

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into the Debtor's compliance with U.S. Trustee guidelines and requirements.

Next status conference: December 11, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Enalaysys Corporation

Represented By
Michael Jones

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

9:00 AM

8:18-11574 Lisa Hernandez

Chapter 7

Adv#: 8:18-01148 Hernandez v. United States of America, by its agency Internal R

#6.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint To Determine
Dischargeability Of Tax Liability
(Complaint filed 7/26/18)
(Another Summons issued 12/3/18)
(PTC set at S/C held 3/20/19)

FR: 10-17-18; 1-16-19; 2-27-19; 3-20-19

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER DISMISSING
ADVERSARY PROCEEDING ENTERED 7-18-19 - (DOCKET NO. [30])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lisa Hernandez

Represented By
Bruce A Boice

Defendant(s):

United States of America, by its

Represented By
Jolene Tanner

Plaintiff(s):

Lisa Hernandez

Represented By
Bruce A Boice

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

10:00 AM

8:19-11410 Alexis A. Marroquin Analco

Chapter 7

#1.00 Reaffirmation Hearing Date SetRE: [19] Reaffirmation Agreement Between Debtor and World Omni Financial Corp., Its Successor and Assigns

Docket 19

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Alexis A. Marroquin Analco Pro Se

Trustee(s):

Thomas H Casey (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

2:00 PM

8:19-11792 Stanley Allan Pope

Chapter 13

#1.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 16

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Stanley Allan Pope

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

2:00 PM

8:19-11854 John J. McEniry

Chapter 13

#2.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 2

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

John J. McEniry

Represented By
Tina H Trinh

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

2:00 PM

8:19-11938 Mark Francois St Croix

Chapter 13

#3.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 5

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Mark Francois St Croix

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

2:00 PM

8:19-12006 Teodoro Esparza

Chapter 13

#4.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Teodoro Esparza

Represented By
Sunita N Sood

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

2:00 PM

8:19-12016 Mark J. Patterson and Ashley L. Patterson

Chapter 13

#5.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 2

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Mark J. Patterson

Represented By
Christine A Kingston

Joint Debtor(s):

Ashley L. Patterson

Represented By
Christine A Kingston

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

2:00 PM

8:19-12209 David Cary Elkins and Leigh Anne Elkins

Chapter 13

#6.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 8

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

David Cary Elkins

Represented By
Gerald S Kim

Joint Debtor(s):

Leigh Anne Elkins

Represented By
Gerald S Kim

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

2:00 PM

8:19-12299 Manuel Figueroa

Chapter 13

#7.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 2

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Manuel Figueroa

Represented By
Andrew Moher

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar

Wednesday, August 7, 2019

Hearing Room 6C

2:00 PM

8:19-12354 Marite A Delos Santos

Chapter 13

#8.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 21

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL ARISING FROM DEBTOR'S REQUEST FOR
VOLUNTARY DISMISSAL ENTERED 8-2-19 - (DOCKET NO. [24])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Marite A Delos Santos

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

2:00 PM

8:19-12355 Debora Renee Huschka

Chapter 13

#9.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 2

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Debora Renee Huschka

Represented By
Brian J Soo-Hoo

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

2:00 PM

8:19-12392 Eric Paklun Fong and Monica Nicole Fong

Chapter 13

#10.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 2

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Eric Paklun Fong

Represented By
Nicholas W Gebelt

Joint Debtor(s):

Monica Nicole Fong

Represented By
Nicholas W Gebelt

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

2:00 PM

8:19-11340 Roger G. Woods and Mary S. Woods

Chapter 13

#11.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 7-3-19

Docket 36

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Roger G. Woods

Represented By
Sam Benevento

Joint Debtor(s):

Mary S. Woods

Represented By
Sam Benevento

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

2:00 PM

8:19-11340 Roger G. Woods and Mary S. Woods

Chapter 13

#12.00

CONT'D Hearing RE: Objection To Proof Of Claim:
(Motion filed 5/20/19)

Claim No. 2 U.S. Bank, N.A. \$24,533.89

FR: 7-3-19

Docket 25

Tentative Ruling:

APPEARANCES REQUIRED.

A validly executed and filed proof of claim constitutes prima facie evidence of the amount and validity of the claim. Fed. R. Bankr. P. 3001(f). On request of a party in interest and after notice and a hearing, the bankruptcy court may determine the amount of a secured claim under 11 U.S.C. § 506(a). Fed. R. Bankr. P. 3012(a)(1). Such request may be made by motion or an objection to claim. Fed. R. Bankr. P. 3012(b).

Here, debtors qualify as interested parties, and their request that the Court determine the secured amount of USBank's claim under 11 U.S.C. § 506(a) is properly made under the authorities cited above. Thus, this matter is properly before the Court.

USBank is correct that the burden is initially on the objecting party to come forward with evidence to overcome the prima facie evidence of the claim's validity. The rule is that such evidence must be equal or greater in probative force to the evidence in the claim. If the objecting party comes forward with such evidence, the burden then shifts to the party holding the claim to prove up its claim by a preponderance of the evidence.

Debtors do not object to the amount of USBank's claim, only to the extent it is alleged to be secured. A claim can be secured only to the extent there is property securing it.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

2:00 PM

CONT... Roger G. Woods and Mary S. Woods

Chapter 13

USBank's proof of claim attaches the security agreement but provides no information precisely describing the property securing the loan except in a generic fashion (e.g., "equipment," as opposed to "a Whirlpool washing machine, model ___"). Debtors' objection, on the other hand, does identify the property securing USBank's claim, namely a small bank account with a \$50 balance and some hand tools having de minimis value.

The Court holds that Debtors have met their burden of coming forward with evidence equal or greater in probative force to the probative force of the proof of claim.

The burden of proving up its claim by a preponderance of the evidence therefore is upon US Bank.

USBank has failed to meet this burden. USBank contends that the property listed on Schedule B secures its claim but fails to make a showing that such property (except for the various bank accounts) falls within the definition set forth in section 2.1 of the Note and Security Agreement attached to USBank's proof of claim.

The Court sustains Debtors' objection in part and overrules it in part. USBank's claim is secured to the extent of \$500 in Debtors' bank accounts and is unsecured as to the balance.

DEBTORS TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Roger G. Woods

Represented By
Sam Benevento

Joint Debtor(s):

Mary S. Woods

Represented By
Sam Benevento

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

2:00 PM

CONT... Roger G. Woods and Mary S. Woods

Chapter 13

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

2:00 PM

8:19-11435 Ernesto Rafael Montalvo

Chapter 13

#13.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 7-3-19

Docket 56

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Ernesto Rafael Montalvo

Represented By
Claudia C Osuna

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar

Wednesday, August 7, 2019

Hearing Room 6C

2:00 PM

8:19-11435 Ernesto Rafael Montalvo

Chapter 13

#14.00

Hearing RE: Objection To Debtor's Claims Of Exemption
(Motion filed 7/15/19)

Docket 48

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF
VOLUNTARY DISMISSAL OF MOTION FILED 8-5-19 (DOCKET NO.
[62])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Ernesto Rafael Montalvo

Represented By
Claudia C Osuna

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar

Wednesday, August 7, 2019

Hearing Room 6C

2:00 PM

8:19-11825 Linda Eileen Rose

Chapter 13

#15.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL FROM DEBTOR'S REQUEST FOR VOLUNTARY
DISMISSAL ENTERED 5-21-19 - (DOCKET NO. [15])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Linda Eileen Rose

Represented By
Derik N Lewis

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

2:00 PM

8:19-11969 Joseph R Willingham

Chapter 13

#16.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL FOR FAILURE TO FILE SCHEDULES, STATEMENTS,
AND/OR PLAN ENTERED 6-10-19 - (DOCKET NO. [9])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Joseph R Willingham

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

2:00 PM

8:19-12243 Donnie R Poucher

Chapter 13

#17.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL FOR FAILURE TO FILE SCHEDULES, STATEMENTS,
AND/OR PLAN ENTERED 7-1-19 (DOCKET NO. [10])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Donnie R Poucher

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

2:00 PM

8:19-12257 Jenny Lopez

Chapter 13

#18.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL FOR FAILURE TO FILE SCHEDULES, STATEMENTS,
AND/OR PLAN ENTERED 7-1-19 - (DOCKET NO. [7])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jenny Lopez

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

2:00 PM

8:19-12295 Jill M Crawley

Chapter 13

#19.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL FOR FAILURE TO FILE SCHEDULES, STATEMENTS,
AND/OR PLAN ENTERED 7-2-19 - (DOCKET NO. [8])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jill M Crawley

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

3:00 PM

8:14-14604 Felix Martinez

Chapter 13

#1.00

CONT'D Hearing RE: Trustee's Verified Motion To Dismiss Case Due To Material Default Of A Plan Provision (Motion filed 2/19/19)

FR: 4-10-19; 7-24-19

Docket 79

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and dismiss the case unless all arrearages and other defaults are cured in full by the date of the hearing.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Felix Martinez

Represented By
Joseph A Weber
Fritz J Firman

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar

Wednesday, August 7, 2019

Hearing Room 6C

3:00 PM

8:15-15792 James Jinwoo Kim

Chapter 13

#2.00

Hearing RE: Trustee's Verified Motion To Dismiss Case Due To Failure To Make Plan Payments (11 U.S.C. 1307(c))
(Motion filed 7/3/19)
(Response filed 7/15/19)
(Set per Notice of Hearing filed 7/15/19)

Docket 211

*** VACATED *** REASON: OFF CALENDAR - NOTICE OF WITHDRAWAL OF TRUSTEE'S MOTION FOR ORDER DISMISSING CHAPTER 13 CASE FILED 7-30-19 - [DOCKET NO. [218]]

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

James Jinwoo Kim

Represented By
Amanda G Billyard
Andy C Warshaw

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

3:00 PM

8:16-10641 Julie Deann Grooms

Chapter 13

#3.00

Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding For Failure To Make Plan Payments [11 U.S.C. 1307(c)] (Motion filed 7/3/19) (Opposition filed 7/17/19) (Notice of Hearing filed 7/17/19)

Docket 101

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF WITHDRAWAL OF TRUSTEE'S MOTION FOR ORDER DISMISSING CHAPTER 13 ENTERED 7-30-19 - [DOCKET NO. [105]]**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Julie Deann Grooms

Represented By
Rabin J Pournazarian

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

3:00 PM

8:18-10245 Michael Anthony Ruffino and Brandy Bernadette Ruffino

Chapter 13

#4.00

Hearing RE: Trustee's Verified Motion To Dismiss Case Due To Failure To Make Plan Payments
(Motion filed 6/5/19) (Opposition filed 6/20/19)

Docket 47

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and dismiss the case.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Michael Anthony Ruffino

Represented By
Christopher J Langley

Joint Debtor(s):

Brandy Bernadette Ruffino

Represented By
Christopher J Langley

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

3:00 PM

8:18-10245 Michael Anthony Ruffino and Brandy Bernadette Ruffino

Chapter 13

#5.00

Hearing RE: Motion Under Local Bankruptcy Rule 3015-1 (n) And (w) To Modify Plan Or Suspend Plan Payments
(Motion filed 6/30/19)
(Set for hearing per Notice Of Hearing filed 7/1/19)

Docket 50

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will deny the motion based upon Debtors' failure to provide 2018 tax returns to the Chapter 13 trustee and their failure to provide an updated LBR Form 3015-1.20.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Michael Anthony Ruffino

Represented By
Christopher J Langley

Joint Debtor(s):

Brandy Bernadette Ruffino

Represented By
Christopher J Langley

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

3:00 PM

8:18-11797 Teresa Ruiz

Chapter 13

#6.00

CONT'D Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding For Failure To Make Plan Payments [11 U.S.C. 1307(c)]
(Motion filed 5/8/19)
(Opposition filed 5/21/19)

FR: 7-3-19

Docket 30

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and dismiss the case.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Teresa Ruiz

Represented By
Christopher J Langley

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

3:00 PM

8:18-13558 Lovert B. Hogai

Chapter 13

#7.00

CONT'D Hearing RE: Application Of Attorney For Debtor For Allowance Of Fees And Expenses Following Dismissal Or Conversion Of Chapter 13 Case Subject To A Rights And Responsibilities Agreement (RARA)
(Motion filed 2/28/19)
(Set per Notice of Hearing filed 3/21/19)

**[RE: RESNIK HAYES MORADI LLP - Attorneys For Debtor]
[Fees: \$7,790.00; Expenses: \$0.00]**

FR: 4-10-19

Docket 61

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the application in part. The Court will allow fees of \$4,110 in fees in addition to the \$810 in fees already paid.

APPLICANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Lovert B. Hogai Pro Se

Trustee(s):

Amrane (SA) Cohen (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

3:00 PM

8:18-14204 Barbara Jo O'Brien

Chapter 13

#8.00

Hearing RE: Trustee's Verified Motion To Dismiss Case Due To Material Default Of A Plan Provision
(Motion filed 6/7/19)

Docket 35

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and dismiss the case.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Barbara Jo O'Brien

Represented By
Daniel King

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

3:00 PM

8:18-14648 Stephen Lawrie

Chapter 13

#9.00

Hearing RE: Verified Motion For Order Modifying The Chapter 13 Plan
(Motion filed 6/11/19)
(Set per Amended Notice of Hearing filed 7/15/19)

Docket 65

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Stephen Lawrie

Represented By
Andy C Warshaw

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

3:00 PM

8:19-10937 Tracy Phuong- Dong Do

Chapter 13

#10.00

Hearing RE: Motion Of United States Trustee To Determine Whether
Compensation Paid To Counsel Was Excessive Under 11 U.S.C. Section 329
And F.R.B.P. 2017
(Motion filed 6/10/19)

Docket 25

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will approve the stipulation between the U.S. Trustee and Counsel and
continue the hearing to September 11, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Tracy Phuong- Dong Do

Represented By
Sunjay Bhatia

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 7, 2019

Hearing Room 6C

3:00 PM

8:19-11420 Estate of Rita Maza Williams

Chapter 13

#11.00

Hearing RE: Motion By United States Trustee To Determine Whether Compensation Paid To Counsel Was Excessive Under 11 U.S.C. Section 329 And F.R.B.P. 2017 And To Order Counsel To File A 2016(B) Statement (Motion filed 6/28/19)

Docket 21

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion in part and order Counsel to file a Rule 2016(b) statement. All rights are reserved to the U.S. Trustee to review the Rule 2016(b) statement after it is filed and, if the U.S. Trustee believes it appropriate, to re-calendar this motion for hearing as to the actual disgorgement of fees.

UNITED STATES TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Estate of Rita Maza Williams

Represented By
Hayk Grigoryan

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, August 8, 2019

Hearing Room 225

9:00 AM

6:16-15248 Murray Altman

Chapter 11

Adv#: 6:16-01167 Shin v. Altman

#1.00

STATUS CONFERENCE re: Complaint by Yun Hei Shin against Murray Altman. fraud as fiduciary, embezzlement, larceny)),(68 (Dischargeability - 523(a)(6), willful and malicious injury))

(Cont. from 3/12/19)

Docket 1

***** VACATED *** REASON: Cont. to 2:00 p.m. calendar - jc**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

Defendant(s):

Murray Altman

Represented By
Andrew S Bisom
Kathleen P March

Plaintiff(s):

Yun Hei Shin

Represented By
Kathleen P March
Andrew S Bisom

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, August 8, 2019

Hearing Room 225

9:00 AM

6:17-13682 Mary Ann Gilmore

Chapter 7

Adv#: 6:17-01271 United States Trustee for the Central District of v. Ashcraft et al

#2.00

PRE-TRIAL CONFERENCE re: Complaint for Disgoregement of Fees, Civil Penalties, Sanctions, and Declaratory, Injunctive, and other relief

(Cont. from 5/23/19)

Docket 0

***** VACATED *** REASON: Cont. to 11/14/19 - jc**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Mary Ann Gilmore

Represented By
Patricia M Ashcraft

Defendant(s):

The Law Offices of Gregory C.

Represented By
Todd L Turoci

Patricia M Ashcraft

Represented By
Todd L Turoci

Plaintiff(s):

United States Trustee for the Central

Represented By
Mohammad Tehrani
Abram Feuerstein esq
Neil Verbrugge

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, August 8, 2019

Hearing Room 225

9:00 AM

CONT... Mary Ann Gilmore

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, August 8, 2019

Hearing Room 225

9:00 AM

6:17-17312 Flem Earl McMillan and Lydia Ventura McMillan

Chapter 11

#3.00

Hrg. on Chapter 11 Status Conference

(Cont. from 4/1/19)

Docket 0

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES NOT REQUIRED.

In view of the interim closing of the case by order entered June 12, 2019, the Court continues the status conference to March 12, 2020 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Flem Earl McMillan

Represented By
Todd L Turoci
Todd L Turoci

Joint Debtor(s):

Lydia Ventura McMillan

Represented By
Todd L Turoci
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, August 8, 2019

Hearing Room 225

9:00 AM

6:18-17439 Robert Mansour Hamzey, Jr.

Chapter 7

Adv#: 6:18-01221 Hardt, Jr v. Hamzey, Jr. et al

#4.00

STATUS CONFERENCE re complaint for recovery of money/property pursuant to 11 U.S.C. Section 548 and Nondischargeability of debt 1 U.S.C. Section 523(A)(4)

(Cont. from 6/20/19)

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Robert Mansour Hamzey Jr.

Represented By
Daniel C Sever

Defendant(s):

Marie Ann Hamzey

Pro Se

Robert Mansour Hamzey Jr.

Pro Se

Joint Debtor(s):

Marie Ann Hamzey

Represented By
Daniel C Sever

Plaintiff(s):

William Joseph Hardt Jr

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, August 8, 2019

Hearing Room 225

9:00 AM

CONT... Robert Mansour Hamzey, Jr.

Chapter 7

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, August 8, 2019

Hearing Room 225

9:00 AM

6:18-17439 Robert Mansour Hamzey, Jr.

Chapter 7

Adv#: 6:18-01221 Hardt, Jr v. Hamzey, Jr. et al

#5.00

Hrg. on Defendants' Motion filed 6/3/19 to Dismiss Adversary Proceeding for Failure to State a Claim Upon Which Relief Can be Granted

(Cont. from 6/27/19)

Docket 52

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Robert Mansour Hamzey Jr.

Represented By
Daniel C Sever

Defendant(s):

Robert Mansour Hamzey Jr.

Represented By
Daniel C Sever

Marie Ann Hamzey

Represented By
Daniel C Sever

Joint Debtor(s):

Marie Ann Hamzey

Represented By
Daniel C Sever

Plaintiff(s):

William Joseph Hardt Jr

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, August 8, 2019

Hearing Room 225

9:00 AM

CONT... Robert Mansour Hamzey, Jr.

Chapter 7

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, August 8, 2019

Hearing Room 225

9:00 AM

6:18-18943 Wayne Morris

Chapter 7

Adv#: 6:19-01011 Morris et al v. REO Property Group, LLC, a California limited liab

#6.00

Hrg. on Defendants' Motion filed 2/11/19 to Dismiss Adversary Proceeding

(Cont. from 3/21/19)

Docket 6

***** VACATED *** REASON: Order Dismissing Adversary on 7/18/19 - jc**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Wayne Morris

Represented By
Michael A Cisneros

Defendant(s):

Frank Zeng

Represented By
Phillip C Law

REO Property Group, LLC, a

Represented By
Phillip C Law

Joint Debtor(s):

Celia Morris

Represented By
Michael A Cisneros

Plaintiff(s):

Celia Morris

Represented By
Michael A Cisneros

Wayne Morris

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, August 8, 2019

Hearing Room 225

9:00 AM

CONT...

Wayne Morris

Michael A Cisneros

Chapter 7

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, August 8, 2019

Hearing Room 225

9:00 AM

6:19-10781 Yongming Sui

Chapter 7

Adv#: 6:19-01082 Sui v. Yang et al

#7.00

STATUS CONFERENCE Re: Complaint filed 5/17/2019 for an injunction pursuant to 11 U.S.C. Section 105(a)

Docket 1

*** VACATED *** REASON: Order Dismissing Adversary entred 8/8/19 -
jc

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Yongming Sui

Represented By
Michael A Cisneros

Defendant(s):

Pao Sheng Yang

Pro Se

GRG Manufacturing

Pro Se

Plaintiff(s):

Yongming Sui

Represented By
Michael A Cisneros

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, August 8, 2019

Hearing Room 225

9:00 AM

6:19-13021 Jesus J Gonzalez

Chapter 7

Adv#: 6:19-01081 Medrano v. GONZALEZ

#8.00

STATUS CONFERENCE re: Complaint by Jesse Medrano against JESUS GONZALEZ. false pretenses, false representation, actual fraud)),(68 (Dischargeability - 523(a)(6), willful and malicious injury))

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will issue a scheduling order:

1. All discovery closes on November 30, 2019.
2. All discovery motions shall be heard before December 31, 2019.
3. All pretrial motions shall be heard before January 31, 2020.
4. Pretrial conference is set for February 27, 2020.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Jesus J Gonzalez

Represented By
Lazaro E Fernandez

Defendant(s):

JESUS GONZALEZ

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, August 8, 2019

Hearing Room 225

9:00 AM

CONT... Jesus J Gonzalez

Chapter 7

Joint Debtor(s):

MARIELENA GONZALEZ

Represented By
Lazaro E Fernandez

Plaintiff(s):

Jesse Medrano

Represented By
Javier H Castillo

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, August 8, 2019

Hearing Room 225

9:00 AM

6:19-15266 Michael A. Madrid

Chapter 11

#9.00

Hrg. on Chapter 11 Status Conference

Docket 0

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into Debtor's compliance with U.S. Trustee's guidelines and requirements.

The Court will set the bar date as October 31, 2019 and will require notice of the bar date to be filed and served by August 22, 2019.

The Court will set a deadline of December 31, 2019 for filing a plan and disclosure statement and a deadline of March 31, 2020 for confirming a plan of reorganization.

Next status conference: November 14, 2019 at 9:00 a.m., with an updated status report due October 31, 2019.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Michael A. Madrid

Represented By
Benjamin A Yrungaray

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, August 8, 2019

Hearing Room 225

2:00 PM

6:16-15248 Murray Altman

Chapter 11

#1.00

Hrg. on Confirmation on Chapter 11 Plan

(Cont. from 8/1/19)

(To be held in Courtroom 6C, 411 W. Fourth Street, Santa Ana, CA 92701)

(Tele. appr. Jenelle C. Arnold, rep. Bank of America)

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

The confirmation hearing will continue with Mr. Altman's testimony and will conclude.

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, August 8, 2019

Hearing Room 225

2:00 PM

6:16-15248 Murray Altman

Chapter 11

Adv#: 6:16-01167 Shin v. Altman

#1.10

STATUS CONFERENCE re: Complaint by Yun Hei Shin against Murray Altman. fraud as fiduciary, embezzlement, larceny)),(68 (Dischargeability - 523(a)(6), willful and malicious injury))

(Tele. appr. Jenelle C. Arnold, rep. Bank of America)

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue this status conference to November 7, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

Defendant(s):

Murray Altman

Represented By
Andrew S Bisom
Kathleen P March

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, August 8, 2019

Hearing Room 225

2:00 PM

CONT... Murray Altman

Chapter 11

Plaintiff(s):

Yun Hei Shin

Represented By
Kathleen P March
Andrew S Bisom

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, August 8, 2019

Hearing Room 225

2:00 PM

6:16-15248 Murray Altman

Chapter 11

#2.00

Hrg. on Motion By United States Trustee To Dismiss Or Convert Chapter 11 Case

(Adv. from 8/20/19)

(To be held in Courtroom 6C, 411 W. Fourth Street, Santa Ana, CA 92701)

(Tele. appr. Jenelle C. Arnold, rep. Bank of America)

Docket 274

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling. The motion to dismiss will be heard immediately after the plan confirmation hearing concludes.

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, August 8, 2019

Hearing Room 225

2:00 PM

6:16-15248 Murray Altman

Chapter 11

#3.00

Hrg. re Motion, of Yun Hei Shin, moving for order dismissing Altmans Ch.11 case, with a 180 Day bar against filing any additional bankruptcy Case, for cause, Including improper diminution of bankruptcy estate; 2nd amended plan is not confirmable; bad faith; and undue delay prejudicial to creditors'

(Adv.from 8/20/19)

(To be held in Courtroom 6C, 411 W. Fourth Street, Santa Ana, CA 92701)

(Tele. appr. Jenelle C. Arnold, rep. Bank of America)

Docket 289

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling. The motion to dismiss will be heard immediately after the plan confirmation hearing concludes.

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Friday, August 9, 2019

Hearing Room 6C

10:00 AM

8:19-12375 South Coast Behavioral Health, Inc.

Chapter 11

#1.00

Hearing RE: Emergency Motion For Order: (A) Enforcing Automatic Stay; (B) Sanctioning Complete Business Solutions Group, dba Par Funding, And Its Officers And Directors For Willful Violations Of The Automatic Stay; (C) Issuing Order To Show Cause RE Contempt Against Complete Business Solutions Group, dba Par Funding, And Its Officers And Directors
(Motion filed 8/7/19)

Docket 165

Party Information

Debtor(s):

South Coast Behavioral Health, Inc.

Represented By
Michael N Nicaastro
Sean A OKeefe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, August 12, 2019

Hearing Room 6C

9:00 AM

8:19-11218 US Direct LLC

Chapter 7

#1.00

Motion for relief from stay [Action In Non-Bankruptcy Forum]

Arash Durrani vs. DEBTOR
(Motion filed 7/25/19)

**[RE: Case Name: Durrani v. US Direct, LLC, et al.]
[Docket Number: 30-2019-01054952-CU-OE-CJC]
[Pending In: Orange County Superior Court]**

Docket 82

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

US Direct LLC

Represented By
Donald W Sieveke

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, August 12, 2019

Hearing Room 6C

2:00 PM

8:15-15311 Freedom Communications, Inc.

Chapter 11

#1.00

CONT'D STATUS CONFERENCE RE: (1) Status Of Chapter 11 Case; And (2) Requiring Report On Status Of Chapter 11 case (Petition filed 11/1/15)

FR: 1-13-16; 3-2-16; 4-13-16; 7-27-16; 12-7-16; 4-19-17; 8-30-17; 12-13-17; 4-9-18; 8-1-18; 11-14-18; 4-8-19

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into (1) compliance with U.S. Trustee guidelines and requirements, and (2) the amount of the refund that the Debtors are seeking from the SBE.

Next status conference: February 24, 2020 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green
Caroline Djang
Scott D Fink
Reed M Mercado

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, August 12, 2019

Hearing Room 6C

2:00 PM

8:19-11987 Enalasy Corporation

Chapter 11

#2.00

Hearing RE: Motion For Order Compelling Turnover Of Personal Property Of
The Estate
(Motion filed 7/12/19)

Docket 26

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire whether Mr. Sutherland is Mr. James Taylor's attorney and whether there is reason to believe the addresses shown on the proof of service are current.

Subject to these matters, the Court will grant the motion.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Enalasy Corporation

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, August 12, 2019

Hearing Room 6C

2:00 PM

8:19-10198 Allan Eli Gindi and Carol June Gindi

Chapter 11

#3.00

CONT'D Hearing RE :Application For Payment Of: Final Fees And/Or Expenses (11 U.S.C. Section 331) For The Period From January 18, 2019 Through June 12, 2019
(Application Filed 6/22/19)

**[RE: TOTARO & SHANAHAN - Debtors' Attorney]
[Fees: \$50,930.00; Expenses: \$0.00]**

FR: 8-5-19

Docket 113

Tentative Ruling:

APPEARANCES NOT REQUIRED.

Mr. Totaro has made it clear that he is not seeking to recover fees beyond those originally requested (i.e., \$50,930.00 and zero expenses): "I am not claiming additional fees from what was submitted." Supplemental Declaration, Docket No. 127, filed July 7, 2019 at page 1, line 25. Mr. Gindi executed a declaration on June 17, 2019 supporting Court approval of such fees.

The Court overrules objections to the final fee application and awards Totaro & Shanahan \$50,930.00 in fees on a final basis.

Sealed pleadings will remain sealed.

APPLICANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Allan Eli Gindi

Represented By
Michael G Spector
Vicki L Schennum

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, August 12, 2019

Hearing Room 6C

2:00 PM

CONT... Allan Eli Gindi and Carol June Gindi

Chapter 11

Joint Debtor(s):

Carol June Gindi

Represented By
Michael G Spector
Vicki L Schennum
Candice Bryner

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, August 12, 2019

Hearing Room 6C

2:00 PM

8:19-12375 South Coast Behavioral Health, Inc.

Chapter 11

#4.00

CONT'D Hearing RE: Motion For Order Approving Insider Compensation Requests
(Motion filed 7/26/19)
(OST entered 7-31-19)

FR: Advanced from 8-19-19

Docket 128

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will hear argument on the contentions of the U.S. Trustee and the Committee that Debtor is proposing to pay insiders a multiple of what they were earning prepetition and that no showing has been made that the Debtor can actually afford to pay the proposed insider compensation.

Party Information

Debtor(s):

South Coast Behavioral Health, Inc.

Represented By
Michael N Nicastro
Sean A OKeefe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, August 12, 2019

Hearing Room 6C

2:00 PM

8:19-12375 South Coast Behavioral Health, Inc.

Chapter 11

#5.00

Hearing RE: Motion For Order Authorizing Examination Of Brian Weiss And For Production Of Documents Pursuant To Federal Rule Of Bankruptcy Procedure 2004
(Motion filed 7/26/19)
(Order Setting Hearing Entered 7/31/19)

Docket 126

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will deny the motions seeking the 2004 examinations. Movant RFC has failed to make a sufficient showing that it has standing as a party in interest in this case in view of the suspension of its corporate powers and failure to register as a lender under California law.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

South Coast Behavioral Health, Inc.

Represented By
Michael N Nicastro
Sean A OKeefe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, August 12, 2019

Hearing Room 6C

2:00 PM

8:19-12375 South Coast Behavioral Health, Inc.

Chapter 11

#6.00

Hearing RE: Motion For Order Authorizing Examination Of Charles McPhail Sr.
And For Production Of Documents Pursuant To Federal Rule Of Bankruptcy
Procedure 2004
(Motion filed 7/26/19)
(Order Setting Hearing Entered 7/31/19)

Docket 124

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will deny the motions seeking the 2004 examinations. Movant RFC has failed to make a sufficient showing that it has standing as a party in interest in this case in view of the suspension of its corporate powers and failure to register as a lender under California law.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

South Coast Behavioral Health, Inc.

Represented By
Michael N Nicastro
Sean A OKeefe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, August 12, 2019

Hearing Room 6C

2:00 PM

8:19-12375 South Coast Behavioral Health, Inc.

Chapter 11

#7.00

Hearing RE: Motion For Order Authorizing Examination Of Andre McPhail And For Production Of Documents Pursuant To Federal Rule Of Bankruptcy Procedure 2004
(Motion filed 7/26/19)
(Order Setting Hearing Entered 7/31/19)

Docket 122

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will deny the motions seeking the 2004 examinations. Movant RFC has failed to make a sufficient showing that it has standing as a party in interest in this case in view of the suspension of its corporate powers and failure to register as a lender under California law.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

South Coast Behavioral Health, Inc.

Represented By
Michael N Nicastro
Sean A OKeefe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, August 12, 2019

Hearing Room 6C

2:00 PM

8:19-12375 South Coast Behavioral Health, Inc.

Chapter 11

#8.00

CONT'D Hearing RE: Motion For Order Rejecting Prepetition Leases On Shortened Notice

[As To Rejection Of Lease Of 1772-1776 Robertson Boulevard, Los Angeles, California] ["Winters Lease"]

(Motion filed 7/1/19)

(OST Entered 7/2/19)

FR: 7-8-19; 8-5-19

Docket 65

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire as to whether possible bidders for the Winters Lease are going forward with the lease acquisition.

Party Information

Debtor(s):

South Coast Behavioral Health, Inc.

Represented By
Michael N Nicastro
Sean A OKeefe

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 13, 2019

Hearing Room 225

2:00 PM

6:16-19700 Glenn H Spears

Chapter 7

#1.00

Hrg. on U.S. Trustee's Motion filed 7/2/19 for An Order Appointing Chapter 7 Trustee

Docket 22

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the U.S. Trustee's request for judicial notice.

The Court will grant the motion to appoint a chapter 7 Trustee.

UNITED STATES TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Glenn H Spears

Represented By
Brian C Fenn
Michael F Chekian

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 13, 2019

Hearing Room 225

2:00 PM

6:17-12702 Rudolfo Jose Castillo, Jr. and Joann Tojino Castillo

Chapter 7

#2.00

Hrg. on approval trustee's final report; applications for compensation

Docket 58

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant and allow:

Trustee's fees: \$2,550.00

Trustee's expenses: \$234.32

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Rudolfo Jose Castillo Jr.

Represented By
Kristin R Lamar

Joint Debtor(s):

Joann Tojino Castillo

Represented By
Kristin R Lamar

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 13, 2019

Hearing Room 225

2:00 PM

6:17-17512 Douglas Craig Woodard

Chapter 7

#3.00

Hrg. on chapter 7 trustee's Motion filed 7/17/19 for Turnover of Property of the Estate

Docket 123

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Douglas Craig Woodard

Pro Se

Trustee(s):

Karl T Anderson (TR)

Represented By
Leonard M Shulman
Melissa Davis Lowe

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 13, 2019

Hearing Room 225

2:00 PM

6:17-18961 Joseph Edward Putney and Julie Anna Putney

Chapter 7

#4.00

Hrg. on Order to Show Cause why Minh Cong Dang (a.k.a. Ming M. Dang) should not be held in Contempt of Court for knowingly violating the discharge injunction

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the OSC and determine that Minh Cong Dang ("Mr. Dang") is in contempt of Court for violating the discharge injunction imposed by 11 U.S.C. § 524(a)(2) by seeking to collect a prepetition claim following the entry of Debtors' discharge on February 5, 2018. Specifically, after receiving notice of the discharge, Mr. Dang filed a complaint for defamation and property damages in state court against Debtors on October 5, 2018 based upon events occurring on May 21-22, 2017 (Debtors' bankruptcy petition was filed on October 27, 2017) and on May 21, 2018. Debtors demurred to the complaint in state court, whereupon Mr. Dang filed a first amended complaint on January 25, 2019. Further proceedings continued in state court with respect to these matters, with the first amended complaint being dismissed without prejudice (over Mr. Dang's objection) on April 19, 2019. The state court has yet to dismiss the case with prejudice. Mr. Joseph Putney has missed several days of work and lost wages as a result of these unlawful proceedings in state court launched against him and Mrs. Putney by Mr. Dang.

Under *Taggart v. Lorenzen*, ___ U.S. ___ (June 3, 2019), a bankruptcy court may hold a creditor in civil contempt for violating a discharge order if there is no fair ground of doubt as to whether the order barred the creditor's conduct. Here, there is no fair ground of doubt that the discharge order entered February 5, 2018 barred Mr. Dang from filing a complaint in state court seeking damages for defamation and property damages based upon events occurring on May 21-22, 2017, months before the Putneys

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 13, 2019

Hearing Room 225

2:00 PM

CONT... Joseph Edward Putney and Julie Anna Putney Chapter 7

filed their bankruptcy petition on October 27, 2017. These are clearly prepetition events, and there is no doubt whatsoever that any claims whatsoever that Mr. Dang may have had against the Putneys were rooted in their prepetition past and therefore are prepetition claims discharged on February 5, 2018.

For these reasons, the Court determines that Mr. Dang is in contempt of court for filing the state court action on October 5, 2018 seeking to recover damages against the Putneys for events occurring on May 21-22, 2017.

The Court imposes the following sanctions against Mr. Dang: (1) Mr. Dang shall pay a total of \$22,938.55 (consisting of \$14,413.05 with respect to attorneys' fees and costs incurred by the Putneys in the state court action and \$8,525.50 in connection with attorneys' fees and costs incurred by the Putneys with respect to this order to show cause) to the Putneys in accordance with the following schedule: (a) \$10,000.00 shall be paid on or before September 3, 2019; and (b) \$12,938.55 shall be paid on or before September 24, 2019; (2) the Court sets a further hearing on September 10, 2019 at 2:00 p.m. on additional damages for lost wages, emotional distress and the supplemental fees and expenses referred to in the Putney's motion for an order to show cause. In connection with the September 10, 2019 hearing, the Putneys' brief is due on or before August 20, 2019 and Mr. Dang's reply brief is due on or before September 3, 2019.

Party Information

Debtor(s):

Joseph Edward Putney

Represented By
Jenny L Doling
Summer M Shaw

Joint Debtor(s):

Julie Anna Putney

Represented By
Jenny L Doling
Summer M Shaw

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 13, 2019

Hearing Room 225

2:00 PM

CONT... Joseph Edward Putney and Julie Anna Putney

Chapter 7

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 13, 2019

Hearing Room 225

2:00 PM

6:17-19039 Carlos Miranda and Sara Miranda

Chapter 7

#5.00

Hrg. on trustee's final report and applications for compensation

Docket 0

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant and allow:

Trustee's fees: \$591.09

Trustee's expenses: \$49.76

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Carlos Miranda

Represented By
Daniel King

Joint Debtor(s):

Sara Miranda

Represented By
Daniel King

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 13, 2019

Hearing Room 225

2:00 PM

6:18-17084 Juan Carlos Castillo and Kimberly Dominique Castillo

Chapter 7

#6.00

Hrg. on approval trustee's final report; applications for compensation

Docket 30

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant and allow:

Trustee's fees: \$1,119.50

Trustee's expenses: \$0

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Juan Carlos Castillo

Represented By
Jenny L Doling

Joint Debtor(s):

Kimberly Dominique Castillo

Represented By
Jenny L Doling

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 13, 2019

Hearing Room 225

2:00 PM

6:18-19328 Mr. Muffler, Inc.

Chapter 7

#7.00

Hrg. on approval trustee's final report; applications for compensation

Docket 21

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant and allow:

Trustee's fees: \$1,282.24

Trustee's expenses: \$35.60

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Mr. Muffler, Inc.

Represented By
Michael J Varisco

Trustee(s):

John P Pringle (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 13, 2019

Hearing Room 225

2:00 PM

6:19-14831 Jean Presichi

Chapter 7

#8.00

Hrg. U.S. Trustee's Motion filed 7/2/19 For Order Compelling Attorney to File Disclosure Of Compensation Pursuant to 11 U.S.C. 329 And FRBP 2016

(Cont. from 8/6/19)

Docket 10

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and order Mr. Giron to file a Statement of Attorney Compensation on or before August 20, 2019.

UNITED STATES TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Jean Presichi

Represented By
Lionel E Giron

Movant(s):

United States Trustee (RS)

Represented By
Abram Feuerstein esq

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Wednesday, August 14, 2019

Hearing Room 225

9:00 AM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

Adv#: 6:17-01273 Havasu Lakeshore Investments v. Fleming, Jr et al

#10.00



Docket No: 0

*** VACATED *** REASON: Withdrawal to Reference filed 7/17/19 - jc

Tentative Ruling:



Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

Defendant(s):

Terry Lee Fleming Jr

Represented By
Michael B Reynolds
James E Till

Patricia Wilson-Fleming

Represented By
Randall S Waier

Havasu Landing LLC

Represented By
Michael B Reynolds
James E Till

Terry Lee Fleming Sr

Represented By
James E Till

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Wednesday, August 14, 2019

Hearing Room 225

9:00 AM

CONT... Terry Lee Fleming, Sr

Chapter 11

Michael B Reynolds

Plaintiff(s):

Havasu Lakeshore Investments

Represented By
Martin A Eliopulos

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar

Wednesday, August 14, 2019

Hearing Room 6C

9:00 AM

8:16-15208 Michael Younessi

Chapter 11

Adv#: 8:17-01051 Diamond Enterprises, LTD., LP v. Younessi

#1.00



Docket No: 1

***** VACATED *** REASON: CONTINUED TO SEPTEMBER 25, 2019
AT 9:00 A.M. AS A STATUS CONFERENCE PER ORDER CONTINUING
PRETRIAL CONFERENCE ENTERED 8-6-19 - (DOCKET NO. [134])**

Tentative Ruling:



Party Information

Debtor(s):

Michael Younessi

Represented By
Michael Jones
Sara Tidd

Defendant(s):

Michael Younessi

Represented By
Roger Frederickson

Plaintiff(s):

Diamond Enterprises, LTD., LP

Represented By
M Douglas Flahaut

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar

Wednesday, August 14, 2019

Hearing Room 6C

9:00 AM

8:16-15208 Michael Younessi

Chapter 11

Adv#: 8:18-01150 Diamond Enterprises, Ltd, LP v. Younessi

#2.00



Docket No: 1

*** VACATED *** REASON: CONTINUED TO SEPTEMBER 25, 2019
AT 9:00 A.M. AS A STATUS CONFERENCE PER ORDER ENTERED 8-6-
19 - (DOCKET NO. [84])

Tentative Ruling:

[REDACTED]

Party Information

Debtor(s):

Michael Younessi

Represented By
Michael Jones
Sara Tidd

Defendant(s):

Michael Younessi

Pro Se

Plaintiff(s):

Diamond Enterprises, Ltd, LP

Represented By
M Douglas Flahaut

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar

Wednesday, August 14, 2019

Hearing Room 6C

9:00 AM

8:19-10402 Sepideh Sally Cirino

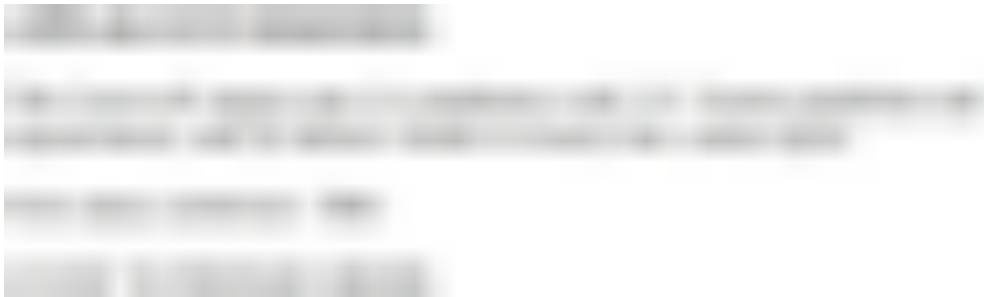
Chapter 11

#3.00



Docket No: 0

Tentative Ruling:



Party Information

Debtor(s):

Sepideh Sally Cirino

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 14, 2019

Hearing Room 6C

9:00 AM

8:18-10018 Derek Lee Collins

Chapter 7

Adv#: 8:18-01117 Kermode v. Collins

#4.00



Docket No: 1

Tentative Ruling:



Party Information

Debtor(s):

Derek Lee Collins Pro Se

Defendant(s):

Derek Lee Collins Pro Se

Plaintiff(s):

Deborah J. Geary Kermode Represented By
Ryan D ODea

Trustee(s):

Weneta M Kosmala (TR) Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 14, 2019

Hearing Room 6C

9:00 AM

CONT...

Derek Lee Collins

Erin P Moriarty

Chapter 7

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 14, 2019

Hearing Room 6C

9:00 AM

8:18-10905 Michael William Devine

Chapter 7

Adv#: 8:19-01095 The United States Trustee For Region 16 v. Devine

#5.00



Docket No: 1

Tentative Ruling:



Party Information

Debtor(s):

Michael William Devine

Represented By
Christopher J Langley

Defendant(s):

Michael William Devine

Pro Se

Plaintiff(s):

The United States Trustee For Region 1

Represented By
Frank Cadigan

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 14, 2019

Hearing Room 6C

9:00 AM

CONT... Michael William Devine

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Pro Se

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar

Wednesday, August 14, 2019

Hearing Room 6C

9:00 AM

8:18-11759 Chester Davenport

Chapter 7

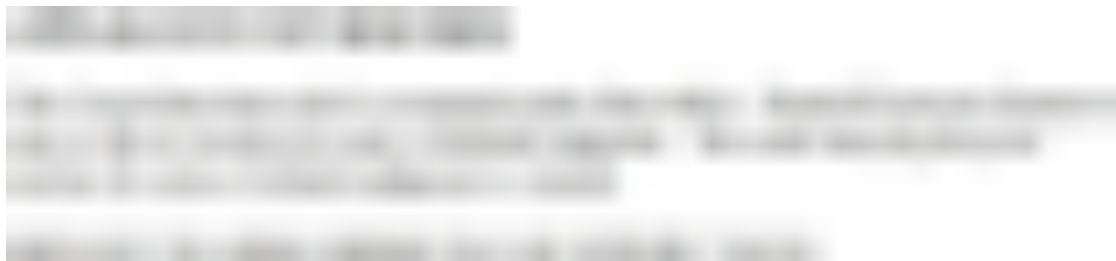
Adv#: 8:18-01208 Eastwest Partners Investment, LLC v. Davenport

#6.00



Docket No: 33

Tentative Ruling:



Party Information

Debtor(s):

Chester Davenport Pro Se

Defendant(s):

Chester Davenport Pro Se

Plaintiff(s):

Eastwest Partners Investment, LLC Represented By
Stella A Havkin

Trustee(s):

Karen S Naylor (TR) Represented By
Kathleen J McCarthy
Thomas H Casey

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar

Wednesday, August 14, 2019

Hearing Room 6C

9:00 AM

8:18-11792 Modern VideoFilm, Inc.

Chapter 11

Adv#: 8:18-01084 Modern VideoFilm, Inc. v. Barkat et al

#7.00



Docket No: 33

*** VACATED *** REASON: OFF CALENDAR - ORDER APPROVING
IN PART STIPULATION TO CONTINUE DEADLINES AND
SCHEDULED HEARINGS ENTERED 8-8-19 - (DOCKET NO. [145])

Tentative Ruling:



Party Information

Debtor(s):

Modern VideoFilm, Inc.

Represented By
Garrick A Hollander
Andrew B Levin
Peter W Lianides

Defendant(s):

Moshe Barkat

Represented By
Juliet Y Oh
David L. Neale

Modern VideoFilm Holdings, LLC

Represented By
Juliet Y Oh
David L. Neale

Sidan Engineering, L.P.

Represented By
David L. Neale

Sivan Barkat Sherman

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 14, 2019

Hearing Room 6C

9:00 AM

CONT... Modern VideoFilm, Inc.

Chapter 11

David L. Neale

Danielle Barkat Turner

Represented By
David L. Neale

Deborah Barkat

Represented By
David L. Neale

Hugh Miller

Represented By
David L. Neale

Plaintiff(s):

Modern VideoFilm, Inc.

Represented By
Garrick A Hollander

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar

Wednesday, August 14, 2019

Hearing Room 6C

9:00 AM

8:18-11792 Modern VideoFilm, Inc.

Chapter 11

Adv#: 8:18-01084 Modern VideoFilm, Inc. v. Barkat et al

#8.00

Docket No: 131

*** VACATED *** REASON: OFF CALENDAR - ORDER APPROVING
IN PART STIPULATION TO CONTINUE DEADLINES AND
SCHEDULED HEARINGS ENTERED 8-8-19 - (DOCKET NO. [145])

Tentative Ruling:

Party Information

Debtor(s):

Modern VideoFilm, Inc.

Represented By
Garrick A Hollander
Andrew B Levin
Peter W Lianides

Defendant(s):

Moshe Barkat

Represented By
Juliet Y Oh
David L. Neale
Christopher D Beatty

Modern VideoFilm Holdings, LLC

Represented By
Juliet Y Oh
David L. Neale
Christopher D Beatty

Sidan Engineering, L.P.

Represented By
David L. Neale
Christopher D Beatty

Sivan Barkat Sherman

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 14, 2019

Hearing Room 6C

9:00 AM

CONT... Modern VideoFilm, Inc.

Chapter 11

David L. Neale
Christopher D Beatty

Danielle Barkat Turner

Represented By
David L. Neale
Christopher D Beatty

Deborah Barkat

Represented By
David L. Neale
Christopher D Beatty

Plaintiff(s):

Modern VideoFilm, Inc.

Represented By
Garrick A Hollander
Richard H Golubow

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar

Wednesday, August 14, 2019

Hearing Room 6C

9:00 AM

8:19-10198 Allan Eli Gindi and Carol June Gindi

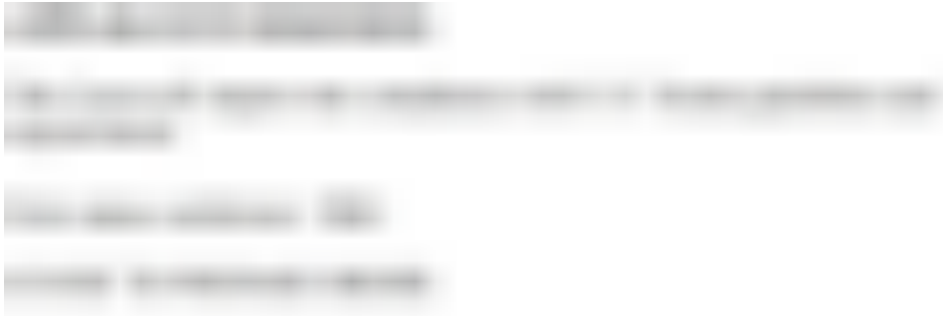
Chapter 11

#9.00



Docket No: 1

Tentative Ruling:



Party Information

Debtor(s):

Allan Eli Gindi

Represented By
Michael R Totaro

Joint Debtor(s):

Carol June Gindi

Represented By
Michael R Totaro

**United States Bankruptcy Court
Central District of California
Santa Ana
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Wednesday, August 14, 2019

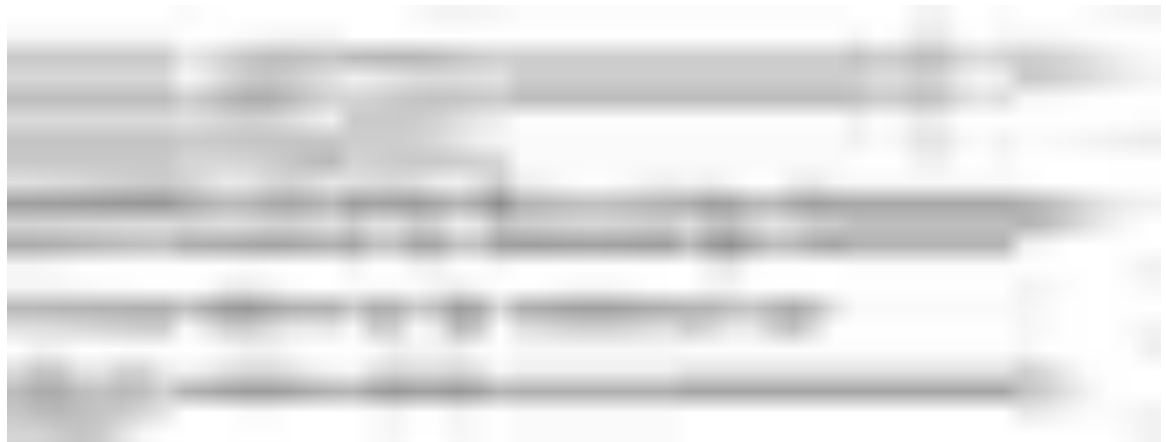
Hearing Room 6C

9:00 AM

8:19-12375 South Coast Behavioral Health, Inc.

Chapter 11

#11.00



Docket No: 178

Tentative Ruling:



**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
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Wednesday, August 14, 2019

Hearing Room 6C

9:00 AM

CONT...

South Coast Behavioral Health, Inc.

Chapter 11



**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 14, 2019

Hearing Room 6C

9:00 AM

CONT... South Coast Behavioral Health, Inc.

Chapter 11



**United States Bankruptcy Court
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Santa Ana
Judge Mark Wallace, Presiding
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Wednesday, August 14, 2019

Hearing Room 6C

9:00 AM

CONT...

South Coast Behavioral Health, Inc.

Chapter 11



Party Information

Debtor(s):

South Coast Behavioral Health, Inc.

Represented By
Michael N Nicastro
Sean A OKeefe

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar

Wednesday, August 14, 2019

Hearing Room 6C

2:00 PM

8:18-10013 Fred Asafu-Adjaye and Esther Asafu-Adjaye

Chapter 11

#1.00



Docket No: 120

Tentative Ruling:



Party Information

Debtor(s):

Fred Asafu-Adjaye

Represented By
Lionel E Giron
Crystle Jane Lindsey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
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Wednesday, August 14, 2019

Hearing Room 6C

2:00 PM

CONT... Fred Asafu-Adjaye and Esther Asafu-Adjaye

Chapter 11

Joint Debtor(s):

Esther Asafu-Adjaye

Represented By
Lionel E Giron
Crystle Jane Lindsey

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar

Wednesday, August 14, 2019

Hearing Room 6C

2:00 PM

8:18-10013 Fred Asafu-Adjaye and Esther Asafu-Adjaye

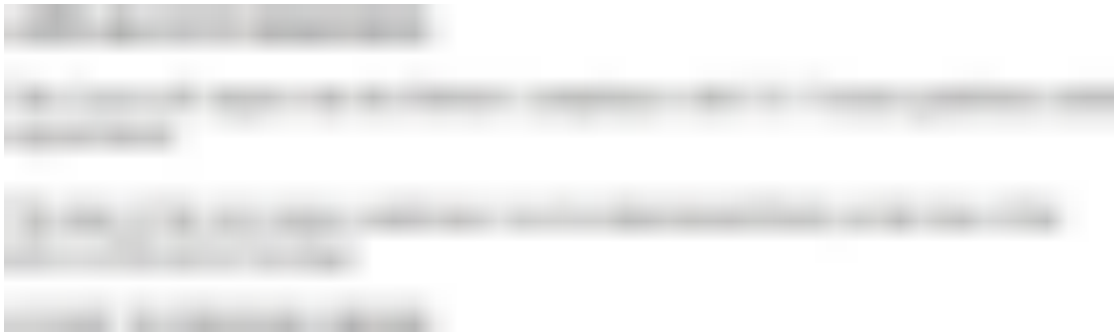
Chapter 11

#2.00



Docket No: 1

Tentative Ruling:



Party Information

Debtor(s):

Fred Asafu-Adjaye

Represented By
Kevin Tang

Joint Debtor(s):

Esther Asafu-Adjaye

Represented By
Kevin Tang

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar

Wednesday, August 14, 2019

Hearing Room 6C

2:00 PM

8:19-12375 South Coast Behavioral Health, Inc.

Chapter 11

#3.00



Docket No: 65

*** VACATED *** REASON: OFF CALENDAR

Tentative Ruling:



Party Information

Debtor(s):

South Coast Behavioral Health, Inc.

Represented By
Michael N Nicastro
Sean A OKeefe

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, August 15, 2019

Hearing Room 225

9:00 AM

6:18-12269 Christopher Allen Hageman

Chapter 7

Adv#: 6:18-01081 Escontrias v. Hageman et al

#1.00

Hrg. on Plaintiff's Motion filed 7/16/19 to strike Amended Answer; Alternatively Portions of Answer

Docket 108

Party Information

Debtor(s):

Christopher Allen Hageman

Represented By
Roland D Tweed

Defendant(s):

Christopher Allen Hageman

Represented By
Thomas H Brehme

Crystal Dee Hageman

Represented By
Thomas H Brehme

Kai Hargis

Pro Se

Joint Debtor(s):

Crystal Dee Hageman

Represented By
Roland D Tweed

Plaintiff(s):

Pilar Escontrias

Represented By
Ada R Cordero-Sack

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, August 15, 2019

Hearing Room 225

10:00 AM

6:19-13797 Julie Ann Martinez

Chapter 7

#1.00

Hrg. on approval of Reaffirmation Agreement filed 7/8/19 Between Debtor and Wells Fargo Bank, in the amount of \$4371.38

Re: 2012 Kia Optima

Docket 13

Party Information

Debtor(s):

Julie Ann Martinez

Pro Se

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, August 15, 2019

Hearing Room 225

1:00 PM

6:16-15248 Murray Altman

Chapter 11

#1.00

Hrg. re Motion, of Yun Hei Shin, moving for order dismissing Altmans Ch.11 case, with a 180 Day bar against filing any additional bankruptcy Case, for cause, Including improper diminution of bankruptcy estate; 2nd amended plan is not confirmable; bad faith; and undue delay prejudicial to creditors'

(Adv.from 8/20/19)

(To be held in Courtroom 6C, 411 W. Fourth Street, Santa Ana, CA 92701)

Docket 289

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, August 15, 2019

Hearing Room 225

1:00 PM

6:16-15248 Murray Altman

Chapter 11

#2.00

Hrg. on Confirmation on Chapter 11 Plan

(Cont. from 8/8/19)

Docket 1

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, August 19, 2019

Hearing Room 6C

9:00 AM

8:19-11435 Ernesto Rafael Montalvo

Chapter 13

#1.00

CONT'D Hearing RE: Motion In Individual Case For Order Imposing A Stay Or Continuing The Automatic Stay As The Court Deems Appropriate
(Motion filed 6/3/19)
(OST Denied 6/7/19)

[RE: 682 W. Ord Way Anaheim, CA 92802]

FR: 7-15-19

Docket 25

Tentative Ruling:

APPEARANCES REQUIRED.

This motion to continue the automatic stay is denied with prejudice as untimely.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Ernesto Rafael Montalvo

Represented By
Claudia C Osuna

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, August 19, 2019

Hearing Room 6C

9:00 AM

8:18-11792 Modern VideoFilm, Inc.

Chapter 11

#2.00

Motion for relief from stay [Action In Non-Bankruptcy Forum]

Modern VideoFilm, Inc., Modern VideoFilm Holdings, LLC, Moshe Barkat And Miller Barondess, LLP vs. DEBTOR
(Motion filed 7/19/19)

**[RE: Case Name: Barkat, et al. v. Medley Capital Corporation, et al.]
[Docket Number: BC583437 And BC631888]
[Pending In: Superior Court For The State Of California, County Of Los Angeles (Central District)]**

Docket 178

Tentative Ruling:

APPEARANCES REQUIRED.

Background Facts

Modern Videofilm, Inc., chapter 11 debtor and debtor in possession herein ("MVF"), was founded in 1980 by Moshe Barkat ("Mr. Barkat"). Mr. Barkat served as MVF's chief executive officer for over 30 years. MVF is a post-production, distribution and content management company in the TV and filmed entertainment business. MVF has provided creative services for, or otherwise worked on, some of the most renowned and famous TV shows and movies over the past decades, including *Game of Thrones*, *Friends*, *Madame Secretary*, *Star Trek*, *Desperate Housewives*, *Sons of Anarchy*, *Charlies Angels*, *Malcom in the Middle*, *Home Improvement*, *Avatar*, *Life of Pi*, *Star Wars*, *Gran Torino* and *Slumdog Millionaire*.

In 2012, Mr. Barkat searched for a lender who could enable MVF to pay off its existing debt and support its expansion. Medley Capital Corporation ("Medley") expressed interest, and following negotiations Medley loaned \$50 million to MVF. MVF's corporate parent, Modern Videofilm Holdings, Inc. ("Holdings") guaranteed

**United States Bankruptcy Court
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Monday, August 19, 2019

Hearing Room

6C

9:00 AM

CONT... Modern VideoFilm, Inc.

Chapter 11

the loan and pledged all MVF's shares. Holdings has presented evidence that MVF had a value of over \$136 million at this point in time.

In 2013, Mr. Barkat negotiated a transaction with Technicolor USA ("Technicolor") in which MVF and Technicolor would form a joint venture by combining their content management divisions. Mr. Barkat alleges that the financials of the deal were highly favorable to MVF and that the projections showed the joint venture producing \$96 million per year in revenue and over \$20 million in cash in the first year. Holdings has presented evidence that MVF would have had a value of \$163.6 million if the joint venture had been completed.

Mr. Barkat alleges that Medley interjected itself into the negotiations and demanded 70 percent of MVF's equity as a condition to allowing the JV to close. According to Mr. Barkat, Technicolor became frustrated with Medley's demands and walked away from the transaction. Medley then took control of MVF, demoted Mr. Barkat, appointed a puppet director and several months later (in September 2014) completely terminated Mr. Barkat.

Mr. Barkat alleges that there was an exodus of MVF's employees and clients after he was terminated, leading to a significant decline in MVF's revenues. Holdings has presented evidence that Mr. Barkat's termination destroyed the value of MVF. In 2015, Medley sold MVF's remaining assets in a fire sale to Point.360. Point.360 later commenced its own bankruptcy proceeding.

Holdings brought a shareholder's derivative action in state court against Medley and other defendants in August 2016, alleging fraud, breach of fiduciary duty, breach of the implied covenant of good faith and fair dealing, interference with prospective economic advantage and other causes of action and seeking \$100 million in damages. This action was later consolidated with earlier action filed in state court by Mr. Barkat and Holdings directly against Medley and other defendants.

On April 11, 2018, the state court found there was evidence Medley had engaged in fraud and breaches of fiduciary duty and denied Medley's motion for summary

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Monday, August 19, 2019

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9:00 AM

CONT... Modern VideoFilm, Inc.

Chapter 11

judgment: "Plaintiff has presented evidence that Medley talked Barkat into signing the forbearance agreement with promises to allow him to keep control of MVF, that Defendants did not disclose that they had already decided to take over MVF and fire Barkat, that Defendants represented to Barkat that they would not take over MVF if he signed the release." Superior Court Order Denying Medley Defendants Motion for Summary Judgment or Summary Adjudication, dated April 11, 2018 at pages 10-11 of 21.

Trial in the state court action was set for June 12, 2018. On May 7, 2018, Medley filed an emergency petition for a writ of mandate requesting the California Court of Appeal to direct the Superior court to vacate its summary judgment ruling, arguing that Medley would suffer irreparable harm if forced to stand trial on claims in excess of \$150 million. The California Court of Appeal summarily denied Medley's petition on May 16, 2018.

About three hours after this summary denial, MVF filed a bankruptcy petition under chapter 11. Following the filing, MVF's counsel wrote a letter to Mr. Barkat's counsel asserting that the state court action was an asset of MVF's bankruptcy estate.

Proposed Stipulation Between MVF, Holdings and Mr. Barkat

MVF, Holdings and Mr. Barkat propose to enter into a stipulation (the "Stipulation") whereby relief from the automatic stay would be granted to permit continuation of the state court action in state court. The Stipulation provides that counsel for the plaintiffs in such action (Miller Barondess, LLP) would pursue the state court action at no expense to the estate. Any recoveries obtained would be split 50/50 between the MVF bankruptcy estate and Miller Barondess, LLP ("MB"). MVF would have the unilateral right to settle the action for a sum in excess of \$10 million. Any settlement of \$10 million or less would be subject to MB's approval. If a judgment against the Medley Defendants (as that term is defined in the proposed stipulation equal to or in excess of \$10 million, MVF is required to commence and pursue an adversary

**United States Bankruptcy Court
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Santa Ana
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Monday, August 19, 2019

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9:00 AM

CONT... Modern VideoFilm, Inc.

Chapter 11

proceeding in this Court seeking the subordination of the Medley Defendants' claims below that of interest holders (i.e., equity holders) in this main bankruptcy case. Counsel for the Debtor would be entitled to receive a bonus if such a judgment were obtained, the bonus being equal to the distribution that would otherwise have been payable on the subordinated claims (or on the part that is subordinated). MVF's current adversary proceeding against Mr. Barkat and his family and affiliates (and Hugh Miller) would be held in abeyance pending the conclusion of the litigation against the Medley Defendants. If a judgment or settlement in the state court action against the Medley Defendants generates at least \$1.5 million for the MVF bankruptcy estate, net of costs and claims by the Barkat Parties (as that term is defined in the proposed stipulation) and MB, the MVF bankruptcy estate and the Barkat Parties would execute mutual releases. Effective upon entry of an order approving the Stipulation, MB would waive all claims against the MVF bankruptcy estate and its counsel and would receive in exchange a similar waiver by the MVF bankruptcy estate and its counsel.

MVF, Holdings, Mr. Barkat and MB now move the Court for entry of an order granting relief from the automatic stay and approving the Stipulation (the "Motion")

Opposition to the Motion

Medley Capital Corporation in its capacity as administrative agent and collateral agent ("Medley") opposes the Motion (the "Opposition") . Medley argues that its lending group was duped into loaning \$50 million to the Debtor and that they have had to endure the Barkat Parties seeking to pick their pockets ever since. Medley contends MVF Direct Claims (as that term is defined in the opposition) have no value because they were released by MVF "many times over many years." Assuming arguendo the MVF Direct Claims were not released, the argument runs, the Stipulation should not be approved by the Court because MB's 50 percent participation in any settlement is an improper gift and violates the absolute priority rule.

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Monday, August 19, 2019

Hearing Room 6C

9:00 AM

CONT... Modern VideoFilm, Inc.

Chapter 11

Medley's third argument is that the Stipulation sacrifices valuable claims that MVF has against Mr. Barkat and others for no consideration. Medley's fourth argument is that the Stipulation improperly seeks relief for the benefit of MB and MVF's counsel that is highly prejudicial to the bankruptcy estate.

Analysis and Ruling

Medley's argument that Court should deny the Motion because the MVF Claims have been released raises issues under the business judgment rule. So, too, does its third argument that the Stipulation sacrifices valuable claims against Mr. Barkat and others for no consideration. By proposing to enter into the settlement reflected in the Stipulation, MVF is by implication exercising its business judgment that the MVF bankruptcy estate's interests are better furthered by entering into an agreement with Holdings, Mr. Barkat and MB than by entering into an agreement with Medley with respect to the contentious litigation between Holdings, Mr. Barkat and MB on one hand and Medley on the other hand.

It is well established that while approval of a proposed settlement rests in a bankruptcy court's sound discretion, a debtor's business judgment should not be ignored. *In re MF Global, Inc.*, 419 B.R. 221 (Bankr. S.D.N.Y. 2012). Equally true, compromises are generally approved if they meet the business judgment of the bankruptcy trustee (or, here, a debtor in possession), *In re Milazzo*, 450 B.R. 363 (Bankr. D. Conn. 2011), and a bankruptcy court should avoid second-guessing a trustee in the exercise of his or her business judgment. *In re Adley*, 333 B.R. 587 (Bankr. D. Mass. 2005).

The Court is satisfied that MVF and its counsel are intimately familiar with the battle between Holdings and Mr. Barkat on one hand and Medley on the other hand with respect to the failure of MVF. MVF has actively prosecuted claims against Mr. Barkat in this Court for over one year and has actively tried to negotiate other claims

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CONT... Modern VideoFilm, Inc.

Chapter 11

against Medley. Accordingly, the Court finds no reason to override MVF's business judgment that it has better odds of success in siding with Mr. Barkat and Holdings than in throwing in its lot with Medley. For these reasons the Court rejects Medley's first and third arguments.

Medley's second argument is that MB's 50 percent interest in certain litigation proceeds constitutes a gift and violates the absolute priority rule. This argument overlooks both the form and the substance of this proposed transaction: the 50 percent interest is effectively equivalent to a litigation contingency fee to MB (or alternatively a kind of joint venture or other sharing agreement between MVF and MB) in exchange for MB prosecuting the claims of MVF against Medley. With few assets other than litigation claims, MVF is poorly positioned to prosecute such claims outside the context of an attorney contingency fee arrangement or some kind of joint venture or other sharing agreement. The Stipulation's terms insofar as they relate to MB's 50 percent interest reflect this economic reality. The absolute priority rule is not implicated here because MB is acquiring its interest in exchange for legal services to be performed in the future, not for a prepetition claim. The 50 percent interest is not a gift because MB will be performing future services in exchange.

Medley's fourth and final argument is that Stipulation improperly modifies the terms of employment of MVF's counsel by giving such counsel a success fee in the event Medley's claim in the MVF main bankruptcy case are subordinated to not only creditors but also interest holders. The Court rejects this argument because, as MVF's reply to the Opposition points out, the economics are such that MVF's counsel would be entitled to payment only if all non-subordinated creditors are paid in full. Reviewing the Stipulation and considering the economic realities, the Court is satisfied that the compensation proposed to be paid to MVF's counsel is fair, equitable and reasonable.

Conclusion

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CONT... Modern VideoFilm, Inc.

Chapter 11

For the reasons stated above and, in addition, the reasons stated in MVF's reply to the Opposition, the Court grants the Motion and approves the Stipulation.

Party Information

Debtor(s):

Modern VideoFilm, Inc.

Represented By
Garrick A Hollander
Andrew B Levin
Peter W Lianides

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
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Monday, August 19, 2019

Hearing Room 6C

2:00 PM

8:13-10564 Jessica Valeros Villanueva

Chapter 11

#1.00

Hearing RE: Motion By Reorganized Debtor For Entry Of Discharge
(Motion filed 7/22/19)

Docket 232

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion.

DEBTOR TO LODGE ORDER GRANTING MOTION VIA LOU WITHIN 7 DAYS.
The Court will enter the discharge order itself.

Party Information

Debtor(s):

Jessica Valeros Villanueva

Represented By
Matthew D. Resnik
M. Jonathan Hayes
Roksana D. Moradi-Brovia

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
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Monday, August 19, 2019

Hearing Room 6C

2:00 PM

8:19-12375 South Coast Behavioral Health, Inc.

Chapter 11

#2.00

Hearing RE: Motion For Order Approving Insider Compensation Requests
(Motion filed 7/26/19)

Docket 128

***** VACATED *** REASON: ADVANCED TO AUGUST 12, 2019 AT 2:00
P.M. PER ORDER GRANTING ORDER SHORTENING TIME ENTERED
7-31-19 - (DOCKET NO. [137])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

South Coast Behavioral Health, Inc.

Represented By
Michael N Nicastr
Sean A OKeefe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
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Monday, August 19, 2019

Hearing Room 6C

2:00 PM

8:18-10607 Nicole Clarisa Sadler

Chapter 7

#3.00

Hearing RE: Chapter 7 Trustee's Motion For Order: (1) Authorizing The Trustee To Sell Real Property (1818 East Crescent View Drive, Sandy, Utah) Free And Clear Of Liens And Disputed, Potential Interest Held By Mr. Cluff Pursuant To 11 U.S.C. Section 363(b) And (f); (2) Approving Overbid Procedures; (3) Approving Compensation Of Real Estate Broker; (4) Authorizing Distribution Of Sale Proceeds; And (5) Waiving 14 Day Stay Imposed By Federal Rules Of Bankruptcy Procedure 6004(h)
(Motion filed 7/29/19)

Docket 100

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into the amount of secured and unsecured claims in this case.

The Court will grant the motion upon the terms specified by Bank of America in its conditional non-opposition and approve sale procedures, except that if there are overbidders, the minimum incremental bidding offer shall be \$5,000 instead of \$1,000.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Nicole Clarisa Sadler

Pro Se

Trustee(s):

Thomas H Casey (TR)

Represented By
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 20, 2019

Hearing Room 225

9:00 AM

6:19-15450 Sean M Larsen

Chapter 7

#1.00

The Wolf Firm, A Law Corporation - movant attorney

Motion for Relief from Stay

Sun Trust Bank vs. DEBTOR
(Motion filed 7/23/19)

Re: 901 Jade Lane, Winterville, NC 28590

Docket 10

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Sean M Larsen

Represented By
Paul Y Lee

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 20, 2019

Hearing Room 225

2:00 PM

6:16-15248 Murray Altman

Chapter 11

#1.00

Hrg. re Motion, of Yun Hei Shin, moving for order dismissing Altmans Ch.11 case, with a 180 Day bar against filing any additional bankruptcy Case, for cause, Including improper diminution of bankruptcy estate; 2nd amended plan is not confirmable; bad faith; and undue delay prejudicial to creditors'

(Cont.from 5/30/19)

Docket 289

***** VACATED *** REASON: Advanced to 8/8/19 @ 2:00 pm per Order**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 20, 2019

Hearing Room 225

2:00 PM

6:16-15248 Murray Altman

Chapter 11

#2.00

Hrg. on Motion By United States Trustee To Dismiss Or Convert Chapter 11
Case

(Cont. from 5/30/19)

Docket 274

***** VACATED *** REASON: Advanced to 8/8/19 @ 2:00 pm per Order**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 20, 2019

Hearing Room 225

2:00 PM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

#3.00

Second and Final Application filed 7/30/19 of Bosley Till LLP, Counsel to Chapter 11 Debtor and Debtor-in-Possession, for Compensation, Period: 9/1/2018 to 7/9/2019, Fees: \$290,577.25, Expenses: \$26,959.99

(Tele. appr. Martin Eliopoulos, rep. Havasu)

Docket 368

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will deny the request of Havasu Lakeshore Investments, LLC ("HLI") to disallow fees and expenses relating to the first iteration of the plan and disclosure statement as not benefiting the bankruptcy estate. In the Court's experience, few disclosure statements are approved at the first disclosure statement hearing. Objections by creditors and the United States Trustee's office and concerns of the bankruptcy court usually require the preparation of an amended disclosure statement. This is all part of a normal process. If numerous errors are repeated in a subsequent draft, that could be a basis for disallowing fees, but that has not occurred here.

The Court understands that an adversary proceeding has been commenced, Adv. Pro. 6:19-ap-01108-MW, in which the complaint alleges that at least two parties (namely, Terry Lee Fleming, Jr. and Mr. Frank Harrigan) have asserted that a large portion of the \$500,000 payable in cash to HLI on the plan effective date should be paid to them instead of HLI based upon state court notices of levy. It is alleged that, in the aggregate, claims exceeding \$900,000 have been asserted against the required \$500,000 payment. Reorganized debtor Terry Lee Fleming, Sr. seeks to interplead the \$500,000.

The Court does not view the events described in the preceding paragraph as an

**United States Bankruptcy Court
Central District of California
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Tuesday, August 20, 2019

Hearing Room 225

2:00 PM

CONT... Terry Lee Fleming, Sr

Chapter 11

obstacle to the approval of a final fee application.

HLI argues that it has valid and perfected liens over all or substantially all the cash held by Mr. Fleming, Sr. and that the use of these funds to pay the attorneys' fees of Mr. Fleming, Sr.'s bankruptcy counsel would violate its lien rights. Bosley & Till contends in its reply that HLI is adequately protected by springing security interests created under the confirmed plan of reorganization. The Court in fact found in confirming the plan that HLI was adequately protected by such security interests.

The Court will approve attorneys' fees of \$290,557.25 and costs of \$26,959.99 on a final basis.

BOSLEY & TILL TO LODGE ORDER.

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
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Tuesday, August 20, 2019

Hearing Room 225

2:00 PM

6:18-18513 Bianca Nadine Loya

Chapter 7

#4.00

Hrg. on approval trustee's final report; applications for compensation

Docket 23

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant and allow:

Trustee's fees: \$813.00

Trustee's expenses: \$0

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Bianca Nadine Loya

Represented By
Julie J Villalobos

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, August 20, 2019

Hearing Room 225

2:00 PM

6:18-18731 Scott Shih Lee

Chapter 7

#5.00

Hrg. on Order to Show Cause as to why Debtor should not be held in contempt of court for failing to comply with court orders

Docket 109

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and set the OSC hearing for September 17, 2019 at 2:00 p.m.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Scott Shih Lee

Represented By
Ronald D Halpern

Trustee(s):

Robert Whitmore (TR)

Represented By
D Edward Hays
Tinho Mang

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Wednesday, August 21, 2019

Hearing Room 225

9:00 AM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

#3.00

Hrg. on Chapter 11 Status Conference

(cont. from 4/25/19)

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into Debtor's performance under the plan and the status and estimated timing of the appeal of the plan confirmation order.

Next status conference: November 25, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Wednesday, August 21, 2019

Hearing Room 225

9:00 AM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

Adv#: 6:18-01046 Havasu Lakeshore Investments v. Fleming, Sr

#4.00

Status Conference re Complaint to (41) to block debtors discharge; to determine nondischargeability of debt re fraud judgment after jury trial; false pretenses, false representation, actual fraud)),(65 (Dischargeability - other)

(Cont. from 4/25/19)

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will stay this adversary proceeding until resolution of the appeal of the Court's order confirming Debtor's chapter 11 plan.

The status conference is continued to January 15, 2020 at 9:00 a.m. An updated status report is due December 31, 2019.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

Defendant(s):

Terry Lee Fleming Sr

Pro Se

Plaintiff(s):

Havasu Lakeshore Investments

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Wednesday, August 21, 2019

Hearing Room 225

9:00 AM

CONT...

Terry Lee Fleming, Sr

Frederick M. Reich
Martin A Eliopoulos
Grant G. Teeple

Chapter 11

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 21, 2019

Hearing Room 6C

9:00 AM

8:16-13380 Eric Martinson

Chapter 11

#1.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 8/9/16)

FR: 10-12-16; 11-9-16; 2-15-17; 5-3-17; 9-27-17, 12-13-17; 2-28-18; 6-6-18;
10-17-18; 1-30-19; 6-26-19

Docket 8

Tentative Ruling:

APPEARANCES REQUIRED.

This case is now over two years old. The Court will inquire into Debtor's (1) compliance with U.S. Trustee guidelines and requirements and (2) expectations with respect to filing a plan and disclosure statement by the November 30, 2019 deadline. The Court is unlikely to move this deadline.

Next status conference: December 4, 2019 at 9:00 a.m. Status report due November 20, 2019.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Eric Martinson

Represented By
Richard Lynn Barrett

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 21, 2019

Hearing Room 6C

9:00 AM

8:17-11749 Dean Lavar Corbin and Lianne Corbin

Chapter 11

#2.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 5/2/17)

FR: 7-5-17; 11-15-17; 3-7-18; 6-13-18; 10-24-18; 12-12-18; 1-23-19; 3-13-19;
6-26-19

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into Debtors' compliance with U.S. Trustee's guidelines and requirements; (2) the current status of Debtors' overall payment obligations to Mr. Neskovic under the terms of the confirmed chapter 11 plan; and (3) Mr. Neskovic's views with respect to matter (2).

The date of the next status conference is to be determined.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Dean Lavar Corbin

Represented By
Michael Jones

Joint Debtor(s):

Lianne Corbin

Represented By
Michael Jones

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 21, 2019

Hearing Room 6C

9:00 AM

8:18-10203 Phillip Barry Greer

Chapter 7

Adv#: 8:18-01075 Street v. Greer et al

#5.00

Hearing RE: Motion For Relief From Entry Of Default
(Motion filed 6/27/19)
(Set per Response filed 7/12/19)

Docket 91

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will re-set the hearing on Ms. Biden's pending motion to dismiss for October 9, 2019 at 9:00 a.m. The Court clarifies that no default has been entered against Defendants in this adversary proceeding.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Phillip Barry Greer Pro Se

Defendant(s):

Phillip Barry Greer Represented By
Phillip Greer

Richard A. Marshack Represented By
Ryan D O'Dea

Plaintiff(s):

Chriss W. Street Represented By
Timothy C Aires

Trustee(s):

Richard A Marshack (TR) Represented By
James C Bastian Jr

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 21, 2019

Hearing Room 6C

9:00 AM

CONT...

Phillip Barry Greer

Ryan D O'Dea

Chapter 7

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 21, 2019

Hearing Room 6C

9:00 AM

8:19-10351 Lucy Ann Carmelita Rojo

Chapter 7

Adv#: 8:19-01072 Aiken v. Rojo

#6.00

CONT'D STATUS CONFERENCE Hearing RE: First Amended Complaint -
Dischargeability Of A Debt
[FRBP Rule 7001(6); 11 U.S.C Section 727(a)(4)(A)]
(Complaint filed 4/18/19)

FR: 7-17-19

Docket 1

***** VACATED *** REASON: CONTINUED TO OCTOBER 9, 2019 AT
9:00 A.M. PER ANOTHER SUMMONS ISSUED ON FIRST AMENDED
COMPLAINT ON 7-24-19 - (DOCKET NO. [15])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lucy Ann Carmelita Rojo

Represented By
Jeffrey B Smith

Defendant(s):

Lucy Ann Carmelita Rojo

Pro Se

Plaintiff(s):

Jami Aiken

Represented By
Greg W Garrotto

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 21, 2019

Hearing Room 6C

9:00 AM

8:19-12375 South Coast Behavioral Health, Inc.

Chapter 11

#7.00

STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case; And (2) Requiring Report On Status Of Chapter 11 Case (Petition filed 6/20/19)

Docket 59

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into the Debtor's compliance with U.S. Trustee's guidelines and requirements.

Next status conference: November 25, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

South Coast Behavioral Health, Inc.

Represented By
Michael N Nicaastro
Sean A OKeefe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 21, 2019

Hearing Room 6C

9:00 AM

8:18-11792 Modern VideoFilm, Inc.

Chapter 11

Adv#: 8:18-01084 Modern VideoFilm, Inc. v. Barkat et al

#8.00

CONT'D STATUS CONFERENCE Hearing RE: First Amended Complaint For Judgment:

- (1) Compelling Turnover Of Estate Property;
 - (2) For Conversion
 - (3) Avoiding Fraudulent Transfers;
 - (4) Recovering Avoided Transfers;
 - (5) Breach of Fiduciary Duty/Defalcation; And;
 - (6) Injunctive Relief
- (Complaint filed 5/16/18)
(First Amended Complaint filed 6-5-18)
(Another Summons issued 6/6/18)

FR: 8-8-18; 8-29-18; 6-19-19

Docket 1

***** VACATED *** REASON: CONTINUED TO NOVEMBER 13, 2019
AT 9:00 A.M. PER ORDER ENTERED 3-8-19 -(DOCKET NO. [105])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Modern VideoFilm, Inc.

Represented By
Garrick A Hollander

Defendant(s):

Deborah Barkat

Pro Se

Danielle Barkat Turner

Pro Se

Sivan Barkat Sherman

Pro Se

Sidan Engineering, L.P.

Pro Se

Modern VideoFilm Holdings, LLC

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 21, 2019

Hearing Room 6C

9:00 AM

CONT... Modern VideoFilm, Inc.

Chapter 11

Moshe Barkat

Pro Se

Plaintiff(s):

Modern VideoFilm, Inc.

Represented By
Garrick A Hollander

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 21, 2019

Hearing Room 6C

9:00 AM

8:18-12427 James Russell Balsamo

Chapter 7

Adv#: 8:18-01189 Labor Commissioner, State of California v. Balsamo

#9.00

Hearing RE: Plaintiff California Labor Commissioner's Motion To Compel Defendant's Initial Disclosures, Document Request Responses And Responsive Documents And Request For Sanctions
(Motion filed 7/28/19)

Docket 43

Tentative Ruling:

APPEARANCES REQUIRED.

Defendant James Balsamo ("Mr. Balsamo") has failed to timely file an opposition to the Labor Commissioner's motion by the revised deadline of August 19, 2019.

Pursuant to Local Bankruptcy Rule 9013-1(h), the Court may deem failure to file a timely opposition to a motion to be consent to the granting of the motion. The Court so deems Mr. Balsamo's failure to file a timely opposition and therefore determines he has consented to the granting of the motion.

As an independent, alternative ground of decision, the Court grants the Labor Commissioner's motion for the reasons set forth in the motion. The Court specifically finds that there has occurred in this adversary proceeding significant and continuing noncompliance with discovery rules by Mr. Balsamo.

The Court orders Mr. Balsamo to (1) serve complete, certified initial disclosures on plaintiff Labor Commissioner on or before August 28, 2019; (2) serve complete, verified responses to plaintiff Labor Commissioner's Request for Production of Documents (Set One) and to produce any and all documents responsive to these requests to plaintiff Labor Commissioner on or before September 4, 2019, and (3) to pay monetary sanctions of \$7,200.00 to plaintiff Labor Commissioner on or before September 11, 2019. Any material failure to comply with such order is likely to result in the imposition of terminating sanctions in the form of the striking of Mr. Balsamo's

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, August 21, 2019

Hearing Room 6C

9:00 AM

CONT... **James Russell Balsamo**
answer and the entering of his default.

Chapter 7

Party Information

Debtor(s):

James Russell Balsamo

Represented By
Joseph M Tosti

Defendant(s):

James Russell Balsamo

Pro Se

Plaintiff(s):

Labor Commissioner, State of

Represented By
Phoebe P Liu

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, August 22, 2019

Hearing Room 225

9:00 AM

6:16-20446 BioData Medical Laboratories, Inc.

Chapter 11

Adv#: 6:16-01299 BioData Medical Laboratories, Inc. v. Merchant Cash & Capital, LLC.

#1.00

PRE-TRIAL CONFERENCE re: Complaint by BioData Medical Laboratories, Inc. against Merchant Cash & Capital, LLC.. (Charge To Estate). Nature of Suit: (12 (Recovery of money/property - 547 preference)),(13 (Recovery of money/property - 548 fraudulent transfer)),(72 (Injunctive relief - other)),(91 (Declaratory judgment))

(Con't from 6/20/19)

(Tele. appr. Kurt E. Ramio, rep. Plaintiff, Ch 7 Trustee Todd A. Frealy)

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into the status of this adversary proceeding.

The date of the next status conference is to be determined.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

BioData Medical Laboratories, Inc.

Represented By
Robert M Yaspan

Defendant(s):

Merchant Cash & Capital, LLC.

Pro Se

Plaintiff(s):

BioData Medical Laboratories, Inc.

Represented By
Robert M Yaspan

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, August 22, 2019

Hearing Room 225

9:00 AM

6:17-17328 Bradford Leon Fee

Chapter 7

Adv#: 6:18-01165 Speier v. Updike et al

#2.00

STATUS CONFERENCE re: Complaint by Steven M Speier against Judith A Updike, Jeffrey D Fee, Lisa R Fee, Larry C Lindenstein. (Charge To Estate).
Complaint For: (1) Avoidance of Preferential Transfer (1) Pursuant to 11 U.S.C. § 547; (2) Avoidance of Preferential Transfer (2) Pursuant to 11 U.S.C. § 547; (3) Recovery of Avoided Transfer Pursuant to 11 U.S.C. § 550 Nature of Suit: (12 (Recovery of money/property - 547 preference))

(Cont. from 11/15/18)

Docket 1

***** VACATED *** REASON: Order dismissing adversary proceeding entered on 7/18/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Bradford Leon Fee

Represented By
Suzette Douglas

Defendant(s):

Judith A Updike

Pro Se

Jeffrey D Fee

Pro Se

Lisa R Fee

Pro Se

Larry C Lindenstein

Pro Se

Joint Debtor(s):

Christine Diane Fee

Represented By
Suzette Douglas

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, August 22, 2019

Hearing Room 225

9:00 AM

CONT... Bradford Leon Fee

Chapter 7

Plaintiff(s):

Steven M Speier

Represented By
Thomas J Eastmond

Trustee(s):

Steven M Speier (TR)

Represented By
Donald Reid
Robert P Goe
Goe & Forsythe LLP

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, August 22, 2019

Hearing Room 225

9:00 AM

6:18-12269 Christopher Allen Hageman

Chapter 7

Adv#: 6:18-01081 Escontrias v. Hageman et al

#3.00

PRE-TRIAL Conference re Complaint to Object to Debtors Discharge and Determine NonDischargeability of Debt under Code Section 523 by Pilar Escontrias against Christopher Allen Hageman, Crystal Dee Hageman, Kai Hargis. fraud as fiduciary, embezzlement, larceny)),(41 (Objection / revocation of discharge - 727(c),(d),(e)

(Cont. 5/21/19)

Docket 1

***** VACATED *** REASON: Cont. to 11/14/19 @ 9:00 a.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Christopher Allen Hageman

Represented By
Roland D Tweed

Defendant(s):

Christopher Allen Hageman

Pro Se

Crystal Dee Hageman

Pro Se

Kai Hargis

Pro Se

Joint Debtor(s):

Crystal Dee Hageman

Represented By
Roland D Tweed

Plaintiff(s):

Pilar Escontrias

Represented By
Ada R Cordero-Sack

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, August 22, 2019

Hearing Room 225

9:00 AM

CONT... Christopher Allen Hageman

Chapter 7

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, August 22, 2019

Hearing Room 225

9:00 AM

6:18-16573 Shelly Lynn Tholander-Turner
Adv#: 6:18-01229 Grobstein v. Humphries

Chapter 7

#4.00

STATUS CONFERENCE re: Complaint by Howard B. Grobstein against Suzanne Humphries. (Charge To Estate). (\$350.00) - Complaint for: (1) Avoidance of Fraudulent Transfer; (2) Recovery of Avoided Transfers; (3) for Declaratory Relief; and (4) Turnover of Property - Nature of Suit: (11 (Recovery of money/property - 542 turnover of property)),(13 (Recovery of money/property - 548 fraudulent transfer)),(14 (Recovery of money/property - other))

(Cont. from 6/20/19)

Docket 1

***** VACATED *** REASON: Stipulation to Dismiss Adversary filed
8/19/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Shelly Lynn Tholander-Turner

Represented By
Robert L Firth

Defendant(s):

Suzanne Humphries

Represented By
George A Bilal

Plaintiff(s):

Howard B. Grobstein

Represented By
Anthony A Friedman

Trustee(s):

Howard B Grobstein (TR)

Represented By
Anthony A Friedman

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 4, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01012 Official Committee of Unsecured Creditors of Freed v. Kushner et al

#1.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint:

(1) For Damages;

(2) To Avoid Fraudulent Transfers Pursuant To 11 U.S.C. Section 548(a)(1)(B);
And

(3) To Avoid Fraudulent Transfers Pursuant To 11 U.S.C. Section 544 And
California Civil Code Sections 3439.04, 3439.05 And 3439.07; And
Jury Trial Demand

(Complaint filed 1/26/17)

FR: 4-19-17; 6-21-17; 8-2-17; 12-13-17; 2-7-18; 2-5-18; 12-12-18; 5-31-19

Docket 1

***** VACATED *** REASON: CONTINUED TO FEBRUARY 12, 2020
PER ORDER GRANTING EMERGENCY MOTION ENTERED 5-17-19 -
(DOCKET NO. [130])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By

William N Lobel

Beth Gaschen

Alan J Friedman

Christopher J Green

Caroline Djang

Scott D Fink

Reed M Mercado

Defendant(s):

Aaron Kushner

Pro Se

Eric Spitz

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 4, 2019

Hearing Room 6C

9:00 AM

CONT... Freedom Communications, Inc.

Chapter 11

Richard J. Covelli Pro Se

Traci M. Christian Pro Se

Larry P. Chinn Pro Se

C & C Marketing LLC Pro Se

C2 Advisors, LLC Pro Se

Etaros Actuarial Services LLC Pro Se

Financial Institution Consulting Pro Se

JTR, LLC Pro Se

Plaintiff(s):

Official Committee of Unsecured

Represented By
Alan J Kornfeld

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Monday, September 9, 2019

Hearing Room 225

9:00 AM

6:19-17552 RVT Inc

Chapter 11

#13.00

Hrg. on Emergency Motion filed 9/3/19 for Use of Cash Collateral

Docket 5

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will confirm that RVT is offering adequate protection in the form of a replacement lien in the Replacement Collateral. If so, the Court will grant the motion.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

RVT Inc

Represented By
Julie J Villalobos

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Monday, September 9, 2019

Hearing Room 225

9:00 AM

6:19-17552 RVT Inc

Chapter 11

#14.00

Hrg. on Emergency Motion filed 9/3/19, for Post-Petition Financing Agreement

(OST signed and entered on 9/4/19)

Docket 8

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into the nature of the relationship between RVT and the postpetition lender, Advance Capital Solutions, LLC.

Will the lien granted to Advance Capital Solutions prime the Replacement Liens or be pari passu with them? Is "interest" under the agreement limited to the 5% discount?

The Court is inclined to grant the motion.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

RVT Inc

Represented By
Julie J Villalobos

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 9, 2019

Hearing Room 6C

9:00 AM

8:16-14720 Alberto Carlos Jimenez and Sharon Rivera Jimenez

Chapter 13

#1.00

CONT'D Motion for relief from stay [Real Property]

U.S.Bank, National Association As Legal Title Trustee For Truman 2016 SC6
Title Trust vs. DEBTOR
(Motion filed 6/27/19)

[RE: 16842 Aries Drive, Yorba Linda, CA 92886]

FR: 8-5-19

Docket 44

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1) unless Debtors are current on the US Bank Trust loan by the date of the hearing.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Alberto Carlos Jimenez

Represented By
Bryn C Deb

Joint Debtor(s):

Sharon Rivera Jimenez

Represented By
Bryn C Deb

Movant(s):

U.S. Bank National Association as

Represented By
Ashish R Rawat
Diane Weifenbach

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 9, 2019

Hearing Room 6C

9:00 AM

CONT... Alberto Carlos Jimenez and Sharon Rivera Jimenez

Chapter 13

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 9, 2019

Hearing Room 6C

9:00 AM

8:18-11759 Chester Davenport

Chapter 7

#2.00

Motion for relief from stay [Real Property]

JPMorgan Chase Bank, National Association vs. DEBTOR
(Motion filed 8/2/19)

[RE: 9225 Inglewood Drive, Potomac, MD 20854]

Docket 316

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Chester Davenport

Pro Se

Trustee(s):

Karen S Naylor (TR)

Represented By
Kathleen J McCarthy
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 9, 2019

Hearing Room 6C

9:00 AM

8:18-11792 Modern VideoFilm, Inc.

Chapter 11

#3.00

Motion for relief from stay [Personal Property]

Medley Capital Corporation, In Its Capacity As Agent And Lender vs. DEBTOR
(Motion filed 8/9/19)

**[RE: Various Assets Of The Debtor Pledged As Collateral To The Movant,
As Agent, Including Commercial Tort Claims]**

Docket 195

*** VACATED *** REASON: CONTINUED TO SEPTEMBER 25, 2019
AT 9:00 A.M. PER ORDER CONTINUING HEARING ENTERED 9-4-19 -
(DOCKET NO. [237])

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Modern VideoFilm, Inc.

Represented By
Garrick A Hollander
Andrew B Levin
Peter W Lianides

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 9, 2019

Hearing Room 6C

9:00 AM

8:18-14535 Kirolous A. Awad and Maria Awad

Chapter 13

#4.00

Motion for relief from stay [Real Property]

Lakeview Loan Servicing, LLC vs. DEBTORS
(Motion filed 8/18/19)

[RE: 4 Cecil Pasture Road, Ladera Ranch, CA 92694-0600]

Docket 41

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1) and terminate the co-debtor stay.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Kirolous A. Awad

Represented By
Tina H Trinh

Joint Debtor(s):

Maria Awad

Represented By
Tina H Trinh

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 9, 2019

Hearing Room 6C

9:00 AM

8:19-11218 US Direct LLC

Chapter 7

#5.00

Motion for relief from stay [Personal Property]

W+D North America, Inc. vs. DEBTOR
(Motion filed 8/20/19)

**[RE: Equipment: Winkler+Dunnebie, 102 Envelope Manufacturing
Machine, Serial No. 11147]**

Docket 94

***** VACATED *** REASON: CONTINUED TO SEPTEMBER 23, 2019
AT 9:00 A.M. PER ORDER GRANTING MOTION FOR CONTINUANCE
ENTERED 8-27-19 - (DOCKET NO. [104])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

US Direct LLC

Represented By
Donald W Sieveke

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Roye Zur

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 9, 2019

Hearing Room 6C

9:00 AM

8:19-11703 Michael A. Souza

Chapter 7

#6.00

Motion for relief from stay [Real Property]

Gil Demoura, A Married Man As His Sole And Separate Property To An Undivided 100.000% Interest vs. DEBTOR
(Motion filed 8/6/19)

[RE: 2043 East Vista Mesa Way, Orange, California 92867]

Docket 57

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Michael A. Souza

Represented By
James D. Hornbuckle

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 9, 2019

Hearing Room 6C

9:00 AM

8:19-11987 Enalasis Corporation

Chapter 11

#7.00

Motion for relief from stay [Personal Property]

Ally Bank vs. DEBTOR
(Motion filed 8/12/19)

[RE: 2019 Dodge Ram 1500 - VIN No.: 1C6RR6KT5KS515355]

Docket 43

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Enalasis Corporation

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 9, 2019

Hearing Room 6C

9:00 AM

8:19-11998 Thomas Deus

Chapter 7

#8.00

Motion for relief from stay [Personal Property]

Nissan Motor Acceptance Corporation vs. DEBTOR
(Motion filed 8/9/19)

[RE: 2016 Nissan Versa - VIN No.: 3N1CE2CP6GL371523]

Docket 11

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Thomas Deus

Represented By
Andrew Nguyen

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 9, 2019

Hearing Room 6C

9:00 AM

8:19-12346 Murat Atli and Serap Atli

Chapter 7

#9.00

Motion for relief from stay [Personal Property]

Toyota Lease Trust vs. DEBTORS
(Motion filed 7/25/19)

[RE: 2019 Lexus RX350 - 2T2ZZMCA3KC128634]

Docket 18

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Murat Atli

Represented By
Timothy L McCandless

Joint Debtor(s):

Serap Atli

Represented By
Timothy L McCandless

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 9, 2019

Hearing Room 6C

9:00 AM

8:19-12375 South Coast Behavioral Health, Inc.

Chapter 11

#10.00

Motion for relief from stay [Unlawful Detainer]

Back Bay University, LLC vs. DEBTOR
(Motion filed 8/16/19)

[RE: 2220 University Drive, Newport Beach, CA 92660]

Docket 236

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF
WITHDRAWAL OF MOTION FILED 8-26-19 - (DOCKET NO. [264])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

South Coast Behavioral Health, Inc.

Represented By
Michael N Nicastro
Sean A OKeefe

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar

Monday, September 9, 2019

Hearing Room 6C

9:00 AM

8:19-12424 Nestor Vidal Orozco

Chapter 7

#11.00

Motion for relief from stay [Personal Property]

San Diego County Credit Union vs. DEBTOR
(Motion filed 8/12/19)

[RE: 2011 BMW 3 Series - VIN No.: WBAPH5C52BF093242]

Docket 8

*** VACATED *** REASON: OFF CALENDAR - ORDER GRANTING
MOTION ENTERED 8-27-19 - SETTLED BY STIPULATION - (DOCKET
NO. [11])

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Nestor Vidal Orozco

Represented By
Darren J DiMarco

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 9, 2019

Hearing Room 6C

9:00 AM

8:19-13028 Steffanie Brooks Aguilar

Chapter 13

#12.00

Motion for relief from stay [Unlawful Detainer]

Vista Bella Apartments AV LLC vs. DEBTOR
(Motion filed 8/14/19)

[RE: 6127 Capobella, Aliso Viejo, CA 92656]

Docket 9

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2) and terminate the co-debtor stay.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Steffanie Brooks Aguilar

Represented By
Timothy McFarlin

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 9, 2019

Hearing Room 6C

2:00 PM

8:19-10198 Allan Eli Gindi and Carol June Gindi

Chapter 11

#1.00

CONT'D Hearing RE: Motion By United States Trustee To Dismiss Case Or Convert Case To One Under Chapter 7 Pursuant To 11 U.S.C. Section 1112((b) (Motion filed 5/20/19)

FR: 6-24-19; 7-15-19

Docket 71

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire whether the passage of time, new developments in the case and the substitution of new Debtors' counsel have caused the U.S. Trustee to re-evaluate its position on whether this case should be dismissed or converted.

Party Information

Debtor(s):

Allan Eli Gindi

Represented By
Michael R Totaro

Joint Debtor(s):

Carol June Gindi

Represented By
Michael R Totaro

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 9, 2019

Hearing Room 6C

2:00 PM

8:19-10212 Hill Concrete Structures

Chapter 11

#2.00

Hearing RE: Motion To Approve Compromise Pursuant To Federal Rules Of Bankruptcy Procedure 9019 (Motion filed 8/8/19)

Docket 59

Tentative Ruling:

APPEARANCES NOT REQUIRED.

Hill Concrete Structures ("Debtor") moves for entry of a Court order (the "Motion") approving a proposed settlement between Debtor and creditor GBC Concrete and Masonry Construction, Inc. ("GBC"). Under the terms of the proposed settlement (if approved by the Court), Debtor would pay GBC \$65,291 within ten business days of the Court's approval of the settlement, and GBC would dismiss a lawsuit pending in Los Angeles County Superior Court.

The Motion is unopposed.

Debtor has shown that the proposed settlement satisfies the requirements of *A & C Properties*.

If the settlement had provided that GBC would receive an allowed general unsecured claim in the amount of \$65,291, the Court would approve the settlement and grant the Motion. However, the proposed settlement appears to elevate the status of GBC's claim to a kind of super-priority administrative claim that is to be paid outside of a plan of reorganization before all other claims in the case, including other administrative claims.

A review of GBC's claim in the case as based upon GBC's state court complaint shows that it is rooted in Debtor's prepetition past and arises out of a written subcontract executed on or around August 8, 2017 – about one and one-half years

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 9, 2019

Hearing Room 6C

2:00 PM

CONT... Hill Concrete Structures

Chapter 11

before the filing of Debtor's bankruptcy petition on January 21, 2019. Thus, it would appear to be a prepetition claim as opposed to some type of administrative expense.

The general rule is that a distribution on a prepetition debt in a chapter 11 case should not take place except pursuant to a confirmed plan of reorganization absent extraordinary circumstances. *In re Air Beds, Inc.*, 92 B.R. 419, 422-24 (B.A.P. 9th Cir. 1988). *See also* Fed. R. Bankr. P. 3021. Nevertheless, some bankruptcy courts (usually outside the Ninth Circuit) permit certain types of prepetition claims to be paid outside of a confirmed plan of reorganization under the "necessity of payment" doctrine. Claims falling within this doctrine are critical vendor claims, prepetition wages of key employees, debts to providers of unique and irreplaceable supplies. When prepetition wages are paid, the amount usually permitted to be paid is capped at the priority amount decreed under 11 U.S.C. § 507. *See generally In re EcoSmart, Inc.*, 2015 Bankr. LEXIS 4244, Case No. 2:15-bk-27139-RK (Bankr. C.D. Cal., Dec. 18, 2015); LBR 2018-1(a)(6), (8).

The Motion fails to make any showing that this Court can approve a settlement with a creditor holding a prepetition claim in a chapter 11 case requiring an essentially immediate payment outside of a confirmed chapter 11 plan of reorganization (and without regard for the priorities of claims in chapter 11 cases established by the Bankruptcy Code). The Court therefore continues this hearing to October 10, 2019 at 2:00 p.m. for briefing on this issue. Debtor's brief is due September 25, 2019.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Hill Concrete Structures

Represented By
Michael Jones
Sara Tidd

Movant(s):

Hill Concrete Structures

Represented By
Michael Jones

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 9, 2019

Hearing Room 6C

2:00 PM

CONT...

Hill Concrete Structures

Sara Tidd

Chapter 11

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 9, 2019

Hearing Room 6C

2:00 PM

8:19-11218 US Direct LLC

Chapter 7

#3.00

Hearing RE: Motion To Be Relieved As Counsel For Debtor
(Motion filed 7/30/19)

Docket 84

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

MR. SIEVEKE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

US Direct LLC

Represented By
Donald W Sieveke

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 9, 2019

Hearing Room 6C

2:00 PM

8:19-12614 Alma D. Espinach

Chapter 7

#4.00

Hearing RE: Motion To Vacate Order Dismissing Bankruptcy Case
(Motion filed 7/24/19)

Docket 21

***** VACATED *** REASON: OFF CALENDAR - MOOT - ORDER
ENTERED ON 8-28-19 - (DOCKET NO.: [26])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Alma D. Espinach

Represented By
Bryn C Deb

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, September 10, 2019

Hearing Room 225

9:00 AM

6:19-14667 Nixon Tiangco Sy

Chapter 7

#1.00

Aldridge Pite, LLP - movant attorney

Motion for relief from Stay

Select Portfolio Servicing Inc vs DEBTOR
(Motion filed 8/6/19)

RE: 7413 Maggie Lane, Corona, California 92880

Docket 14

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Nixon Tiangco Sy

Represented By
Rex Tran

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, September 10, 2019

Hearing Room 225

9:00 AM

6:19-15614 Germaine A Sparman and Nicole L Sparman

Chapter 7

#2.00

The Wolf Firm, A Law Corporation - movant attorney

Motion for Relief from Stay

NewRez LLC vs. DEBTORS
(Motion filed 8/8/19)

Re: 42928 Beamer Court, Temecula, CA 92592

Docket 20

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Germaine A Sparman

Represented By
Paul Y Lee

Joint Debtor(s):

Nicole L Sparman

Represented By
Paul Y Lee

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, September 10, 2019

Hearing Room 225

9:00 AM

6:19-15635 Ira Morris Cobert and Silvia Catalina Cobert

Chapter 7

#3.00

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

Motion for Relief from Stay

First Investors Financial Services, Inc. vs. DEBTORS, Karl T. Anderson, trustee
(Motion filed 8/9/19)

Re: 2015 FORD ESCAPE VIN 1FMCU0G73FUB41226

Docket 13

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Ira Morris Cobert

Represented By
James P Doan

Joint Debtor(s):

Silvia Catalina Cobert

Represented By
James P Doan

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, September 10, 2019

Hearing Room 225

9:00 AM

6:19-15698 Michael Eugene Avila and Juliana Marie Avila

Chapter 7

#4.00

Bonial & Associates, P.C. - movant attorney

Motion for Relief from Stay

Toyota Motor Credit Corporation vs. DEBTORS
(Motion filed on 8/5/19)

RE: 2017 TOYOTA PRIUS, VIN: JTDKARFPXH3053474

Docket 12

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Michael Eugene Avila Pro Se

Joint Debtor(s):

Juliana Marie Avila Pro Se

Trustee(s):

Lynda T. Bui (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, September 10, 2019

Hearing Room 225

9:00 AM

6:19-15760 Genaro Cerda Flores, Jr.

Chapter 7

#5.00

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

Motion for Relief from Stay

Daimler Trust vs. DEBTOR, Arturo Cisneros, trustee
(Motion filed 7/29/19)

Re: 2016 MERCEDES-BENZ C450W4 VIN 55SWF6EB9GU129029

Docket 10

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Genaro Cerda Flores Jr.

Represented By
Kristin R Lamar

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, September 10, 2019

Hearing Room 225

9:00 AM

6:19-15800 Deseri Elaine Galindo

Chapter 7

#6.00

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

Motion for Relief from Stay

Americredit Financial Services, Inc. vs. DEBTOR, Arturo Cisneros, trustee
(Motion filed 8/14/19)

Re: 2018 CHEVROLET MALIBU VIN 1G1ZD5ST2JF270967

Docket 9

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Deseri Elaine Galindo

Pro Se

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, September 10, 2019

Hearing Room 225

9:00 AM

6:19-15823 Ricky Ron Selanders

Chapter 7

#7.00

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

Motion for Relief from Stay

First Investors Financial Services, Inc. vs. DEBTOR, Larry D. Simons, trustee
(Motion filed 8/9/10)

Re: 2012 CHEVROLET CAPTIVA SPORT VIN 3GNAL3E59CS63607

Docket 10

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Ricky Ron Selanders

Pro Se

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, September 10, 2019

Hearing Room 225

9:00 AM

6:19-16000 Mercedes Loyrrain Short

Chapter 7

#8.00

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

Motion for Relief from Stay

Mercedes-Benz Financial Services USA LLC vs. DEBTOR, Karl T. Anderson,
trustee
(Motion filed 7/30/19)

Re: 2013 Mercedes-Benz C250W, VIN: WDDGF4HB4DR272326

Docket 12

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Mercedes Loyrrain Short

Represented By
Nicholas M Wajda

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, September 10, 2019

Hearing Room 225

9:00 AM

6:19-16333 Angel Jimenez Rodriguez

Chapter 7

#9.00

Tiffany & Bosco - movant attorney

Motion for Relief from Stay

Bank of America vs. DEBTORS
(Motion filed 8/14/19)

Re: N 2016 RAM 1500; VIN NO. 3C6JR6AT9GG185118

Docket 10

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Angel Jimenez Rodriguez

Represented By
James Geoffrey Beirne

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, September 10, 2019

Hearing Room 225

9:00 AM

6:19-16850 Alberto Mercado

Chapter 7

#10.00

Tenia Law, Inc. - movant attorney

Motion for Relief from Stay

The JMM Revocable Trust Dated July 15, 2014 vs. DEBTOR
(Motion filed 8/15/19)

Re: 13220 Ballestros Ave., Chino, CA 91710

Docket 8

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(4) and grant § 362(d)(4) relief.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Alberto Mercado	Pro Se
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Trustee(s):

Larry D Simons (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, September 10, 2019

Hearing Room 225

2:00 PM

6:14-14532 Reth Neang

Chapter 7

#1.00

Hrg. on Debtor's Motion for Order to Release Funds to Debtor and close case

(Cont. from 8/6/19)

Docket 19

Tentative Ruling:

APPEARANCES REQUIRED.

Reth Neang ("Neang") purchased a 2007 Nissan Pathfinder on or about July 19, 2007 and obtained purchase financing through Wells Fargo Auto (the "WF Loan"). The evidence before the Court, consisting of business records of Wells Fargo Auto, shows various transactions relating to the loan between the dates of July 25, 2007 and June 23, 2011. Neang filed a chapter 7 petition on April 7, 2014 and received a discharge on July 21, 2014. The case was closed on July 22, 2014.

In or around March 2019 chapter 7 trustee Lynda Bui (the "Trustee") received correspondence from Wells Fargo Auto stating that Wells Fargo Auto had improperly charged collateral protection insurance to Neang's account with respect to the WF Loan. Wells Fargo thereupon paid \$5,176.36 to the Trustee as a refund of the improper charges. In connection with these events, the Court granted the Trustee's motion to reopen the Neang chapter 7 case so that the Trustee could administer these newly-acquired funds as required by bankruptcy law.

The case was reopened on or about May 23, 2019.

Neang now moves for entry of a Court order (the "Motion") requiring the Trustee to pay the \$5,176.36 to Neang (and, following such payment), to close the case. Neang argues in the Motion that the funds in question are not bankruptcy estate property under 11 U.S.C. § 541 because they were not available to Neang at the time the

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, September 10, 2019

Hearing Room 225

2:00 PM

CONT...

Reth Neang

Chapter 7

bankruptcy petition was filed in 2014.

11 U.S.C. § 541(a) provides that the bankruptcy estate is comprised of all legal or equitable interests of the debtor in property as of the commencement of the case (i.e., the petition date). The extent of the debtor's interests in property is independent of, and not related to, the debtor's knowledge (or anyone else's knowledge) of what rights or interests the debtor possesses. If a debtor has a property interest as of the case's commencement date – whether or not the debtor (or anyone else) knows of such property interest's existence – such property becomes bankruptcy estate property by operation of 11 U.S.C. §541(a).

Here, it appears that neither Neang nor the Trustee nor even Wells Fargo Auto knew that Wells Fargo Auto owed Neang \$5,176.36 as of Neang's petition date in 2014. Nevertheless, such property right existed at that time because it arose from prepetition transactions, namely, Neang's loan from Wells Fargo Auto during the period 2007-2011. To phrase this differently, the right to the refund in no way arose from loan transactions (or any other kind of transactions) occurring after the petition date.

Because the Neang's property right to a refund of \$5,176.36 from Wells Fargo Auto existed immediately before Neang filed a bankruptcy petition on April 7, 2014, the right became bankruptcy estate property under 11 U.S.C. § 541(a).

For these reasons, the Court denies the Motion with prejudice. It is, however, the Court's intention to again close the case in due course after the Trustee has fully administered the refund.

Party Information

Debtor(s):

Reth Neang

Represented By
Yolanda Flores-Burt

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, September 10, 2019

Hearing Room 225

2:00 PM

6:17-15972 Enriquez Q Amezcua

Chapter 7

#2.00

Hrg. on chapter 7 trustee's Motion filed 8/14/19 to Sell Property of the Estate Free and Clear of Liens under Section 363(f)

Docket 109

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion, except that bidding increments will be \$2,000 instead of \$1,000.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Enriquez Q Amezcua

Pro Se

Trustee(s):

John P Pringle (TR)

Represented By
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 11, 2019

Hearing Room 6C

9:00 AM

8:19-10351 Lucy Ann Carmelita Rojo

Chapter 7

Adv#: 8:19-01072 Aiken v. Rojo

#1.00

Hearing RE: Motion To Dismiss First Amended Adversary Complaint
(Motion filed 8/15/19)

Docket 17

Tentative Ruling:

APPEARANCES REQUIRED.

Plaintiff Jami Aiken ("Ms. Aiken"), a former patient of naturopathic doctor and chapter 7 debtor Lucy Ann Rojo ("Ms. Rojo"), filed a first amended complaint (the "Complaint") asking the Court to deny Ms. Rojo a discharge on the ground that Ms. Rojo made a false oath in connection with this case. 11 U.S.C. §727(a)(4)(A).

The alleged false oath relates to the scheduling by Ms. Rojo (under penalty of perjury) on Schedule E/F of a creditor by the name of Mike Vaccaro. Specifically, Schedule E/ shows nonpriority creditor Mike Vaccaro, 3540 Lemon Avenue, Long Beach, CA 90807 as holding an unliquidated, disputed claim (not subject to offset). He is described on the Schedule as a "Potential Patient Claimant." Further, the Schedule states "Disputed Claim from patient. Debtor uncertain if claim will or could be pursued by patient. Listed in an abundance of caution."

The Complaint alleges that in fact no claim had been made by Mike Vaccaro and "there was no reasonable basis for Defendant to assert that said debt existed". Complaint at page 7 of 9. Read liberally, the Complaint alleges that by scheduling a disputed claim of Mike Vaccaro Ms. Rojo was attempting to artificially enlarge her claimed debts so that she could obtain a discharge of her liability to Ms. Aiken.

Ms. Rojo moves to dismiss the Complaint under Fed. R. Civ. P. 12(b)(6) and Fed. R. Bankr. P. 7012 for failure to state a claim upon which relief can be granted. She argues that the Complaint does not allege a materially false statement because a debtor

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 11, 2019

Hearing Room 6C

9:00 AM

CONT... Lucy Ann Carmelita Rojo

Chapter 7

does not need to have more than one creditor to receive a discharge. Her second argument is that the Complaint does not factually allege that Schedule E/F and her 341(a) meeting testimony cannot be reconciled without one being false.

In the abstract, one can imagine a case where a debtor, in an effort to dissuade creditors from inquiring too closely into the case or expecting any significant distribution, falsely schedules a creditor holding a huge priority claim that does not in fact exist. For example, in a case where total estate assets were under \$100,000, a debtor might schedule an IRS eighth priority claim of over \$1 million. If this were false and known by the debtor to be false because the debtor knew he owed nothing to the IRS and were scheduled for the purpose described above, it would be a basis for denying the debtor a discharge on the ground of a false oath.

One can also imagine a case where a misinformed debtor intentionally lies in preparing Schedule E/F to solve a problem that does not really exist. For example, assume a debtor is misinformed and incorrectly believes that he is not eligible for a discharge unless he has at least five creditors. In fact, he only has two creditors, and therefore he lists three totally fictitious creditors on Schedule E/F.

It may be contended that the addition of totally fictitious creditors does not satisfy the materiality requirement of a false oath because such creditors, being fictitious, would not participate in any distribution from the bankruptcy estate. However, the Court does not regard this as the proper interpretation of the materiality requirement for a false oath. Nor does the debtor's belief as to why lying is necessary for the achievement of the debtor's objectives – eligibility for a discharge, for example – have any bearing upon materiality. Materiality instead relates to the effect of a false oath on the entirety of the bankruptcy case, encompassing things like creditor expectations, actual or projected distributions to creditors, and the like. Here, the allegation that Ms. Rojo added a non-existent creditor (i.e., Mike Vaccaro) to Schedule E/F for the purpose of "knowingly and intentionally increasing her debt," Complaint, page 7 of 9, line 26, satisfies materiality as a pleading matter for the reasons described above.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 11, 2019

Hearing Room 6C

9:00 AM

CONT... Lucy Ann Carmelita Rojo

Chapter 7

For these reasons, the Court rejects Ms. Rojo's argument that the materiality requirement is not satisfied because her alleged belief that she needed more than one creditor to qualify for a bankruptcy discharge is incorrect as a matter of bankruptcy law.

Ms. Rojo's also argues that the Complaint fails to allege that Schedule E/F and Ms. Rojo's 341(a) testimony cannot be reconciled without one being false. The Court agrees with Ms. Rojo that there is no necessary inconsistency between the Schedule and the testimony. However, the Court does not read the Complaint to be relying solely upon the allegation that the 341(a) testimony was false in proving up Ms. Aiken's case. The Court instead reads the Complaint as asserting that the section 341(a) testimony is a piece of evidence Ms. Aiken intends to use in proving that Ms. Rojo made a false oath on Schedule E/F. For these reasons, the Court rejects Ms. Rojo's second argument.

The Motion is denied.

Although the Court subsequently will hold a status conference following which it will issue a scheduling order establishing discovery and pretrial motion deadlines, the Court believes this adversary proceeding is especially suited for a brief trial in relatively short order where Ms. Rojo testifies and is cross-examined as to Mike Vaccaro and her reasons (or the absence thereof) for believing Vaccaro had a potential claim in this case. If the Court determines that either party in this case has made allegations that have little or no foundation, the Court will carefully examine the extent to which it can properly impose monetary sanctions (including but not limited to an award of attorneys' fees and costs) on the non-prevailing party.

Party Information

Debtor(s):

Lucy Ann Carmelita Rojo

Represented By
Jeffrey B Smith

Defendant(s):

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 11, 2019

Hearing Room 6C

9:00 AM

CONT... Lucy Ann Carmelita Rojo
Lucy Ann Carmelita Rojo

Represented By
Jeffrey B Smith

Chapter 7

Plaintiff(s):

Jami Aiken

Represented By
Greg W Garrotto

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 11, 2019

Hearing Room 6C

9:00 AM

8:19-10719 Amable Paolo Mendoza Aguiluz

Chapter 7

Adv#: 8:19-01110 American Express National Bank v. Aguiluz

#2.00

STATUS CONFERENCE Hearing RE: Complaint To Determine Dischargeability
Of Debt

(Complaint filed 6/10/19)

(Another summons issued 6/25/19)

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER APPROVING
STIPULATION TO JUDGMENT IN SETTLEMENT OF ADVERSARY
COMPLAINT ENTERED 8-30-19 - (DOCKET NO. [9])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Amable Paolo Mendoza Aguiluz

Represented By
Brian J Soo-Hoo

Defendant(s):

Amable Paolo Mendoza Aguiluz

Pro Se

Plaintiff(s):

American Express National Bank

Represented By
Dennis C. Winters

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 11, 2019

Hearing Room 6C

2:00 PM

8:19-11351 Lorraine Jeanette Ortiz

Chapter 13

#1.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 7-3-19

Docket 27

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lorraine Jeanette Ortiz

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 11, 2019

Hearing Room 6C

2:00 PM

8:19-12209 David Cary Elkins and Leigh Anne Elkins

Chapter 13

#2.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 8-7-19

Docket 31

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

David Cary Elkins

Represented By
Gerald S Kim

Joint Debtor(s):

Leigh Anne Elkins

Represented By
Gerald S Kim

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 11, 2019

Hearing Room 6C

2:00 PM

8:19-12299 Manuel Figueroa

Chapter 13

#3.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 8-7-19

Docket 2

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Manuel Figueroa

Represented By
Andrew Moher

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 11, 2019

Hearing Room 6C

2:00 PM

8:19-12355 Debora Renee Huschka

Chapter 13

#4.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 8-7-19

Docket 15

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Debora Renee Huschka

Represented By
Brian J Soo-Hoo

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 11, 2019

Hearing Room 6C

2:00 PM

8:19-12392 Eric Paklun Fong and Monica Nicole Fong

Chapter 13

#5.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 8-7-19

Docket 24

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Eric Paklun Fong

Represented By
Nicholas W Gebelt

Joint Debtor(s):

Monica Nicole Fong

Represented By
Nicholas W Gebelt

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 11, 2019

Hearing Room 6C

2:00 PM

8:19-12428 Bret Morris

Chapter 13

#6.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 47

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Bret Morris

Represented By
Joseph W Creed

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 11, 2019

Hearing Room 6C

2:00 PM

8:19-12682 Leslie Brock

Chapter 13

#7.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Leslie Brock

Represented By
Julie J Villalobos

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 11, 2019

Hearing Room 6C

2:00 PM

8:19-12697 Leann Terese Hardwick

Chapter 13

#8.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 7

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Leann Terese Hardwick

Represented By
Jacqueline D Serrao

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 11, 2019

Hearing Room 6C

2:00 PM

8:19-12715 Andrea Mythanh Le

Chapter 13

#9.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Andrea Mythanh Le

Represented By
Christopher J Langley

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 11, 2019

Hearing Room 6C

2:00 PM

8:19-12721 Luis Daniel Ochoa

Chapter 13

#10.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 15

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Luis Daniel Ochoa

Represented By
Anerio V Altman

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 11, 2019

Hearing Room 6C

2:00 PM

8:19-12783 Donald Louis Pearce

Chapter 13

#11.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Donald Louis Pearce

Represented By
Christopher J Langley

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 11, 2019

Hearing Room 6C

3:00 PM

8:14-15086 Alejandro Chavez and Francisca Ledesma Chavez

Chapter 13

#1.00

Hearing RE: Trustee's Motion For Order Dismissing Chapter 13 Proceeding For Failure To Complete The Plan Within Its Terms
[11 U.S.C. Section 1307(c)]
(Motion filed 7/11/19)
(Notice of Opposition filed 7/24/19)
(Set per Notice of Hearing filed 7/24/19)

Docket 82

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF
WITHDRAWAL OF TRUSTEE'S MOTION FILED 9-5-19 - (DOCKET NO.
[86])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Alejandro Chavez

Represented By
Bryn C Deb

Joint Debtor(s):

Francisca Ledesma Chavez

Represented By
Bryn C Deb

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 11, 2019

Hearing Room 6C

3:00 PM

8:15-15385 Lucina Macedo

Chapter 13

#2.00

Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding For Failure To Make Plan Payments [11 U.S.C. 1307(c)] (Motion filed 8/6/19) (Notice and Opposition filed 8/16/19)

Docket 72

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and dismiss the case.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Lucina Macedo

Represented By
Jaime A Cuevas Jr.

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 11, 2019

Hearing Room 6C

3:00 PM

8:16-13998 Mike J. Amaral

Chapter 13

#3.00

Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding For Failure To Make Plan Payments [11 U.S.C. 1307(c)]
(Motion filed 7/3/19)
(Response filed 7/12/19)
(Notice of Hearing filed 7/12/19)

Docket 80

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will deny the motion as moot in view of the order entered August 28, 2019 modifying the plan.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Mike J. Amaral

Represented By
Andy C Warshaw

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 11, 2019

Hearing Room 6C

3:00 PM

8:19-10937 Tracy Phuong- Dong Do

Chapter 13

#4.00

CONT'D Hearing RE: Motion Of United States Trustee To Determine Whether Compensation Paid To Counsel Was Excessive Under 11 U.S.C. Section 329 And F.R.B.P. 2017
(Motion filed 6/10/19)

FR: 8-7-19

Docket 25

***** VACATED *** REASON: OFF CALENDAR - VOLUNTARY
DISMISSAL OF MOTION FILED 8-27-19 - (DOCKET NO. [38])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Tracy Phuong- Dong Do

Represented By
Sunjay Bhatia

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 11, 2019

Hearing Room 6C

3:00 PM

8:19-11435 Ernesto Rafael Montalvo

Chapter 13

#5.00

Hearing RE: Objection To Debtor's Claims Of Exemption
(Objection filed 8/8/19)

Docket 64

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Ernesto Rafael Montalvo

Represented By
Claudia C Osuna

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar

Wednesday, September 11, 2019

Hearing Room 6C

3:00 PM

8:19-13096 Jay Mandel Fontenot

Chapter 13

#6.00

Hearing RE: Motion To Vacate Dismissal And Reinstate Chapter 13 Case
(Motion filed 8/26/19)
(Set per Notice of Hearing filed 8/27/19)
(Trustee's Comments filed 8/27/19)

Docket 23

*** VACATED *** REASON: OFF CALENDAR - ORDER DENYING
WITH PREJUDICE DEBTOR'S MOTION ENTERED 8-29-19 - (DOCKET
NO. [31])

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jay Mandel Fontenot

Represented By
Krystina T Tran

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 11, 2019

Hearing Room 6C

3:00 PM

8:17-13687 Michael Carlisle and Elizabeth Carlisle

Chapter 13

#7.00

Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding For Failure To Make Plan Payments [11 U.S.C. 1307(c)]
(Motion filed 8/6/19)
(Opposition filed 8/30/19)
(Notice of Hearing filed 8/30/19)

Docket 64

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will deny the motion for the reasons argued by the Chapter 13 Trustee.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Michael Carlisle

Represented By
Julie J Villalobos

Joint Debtor(s):

Elizabeth Carlisle

Represented By
Julie J Villalobos

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, September 12, 2019

Hearing Room 225

9:00 AM

6:17-15972 Enriquez Q Amezcua

Chapter 7

Adv#: 6:19-01066 Pringle v. The North River Insurance Company et al

#1.00

Hrg. on Debtors' Motion filed 8/12/19 to Quash and Vacate Judgment entered on July 3, 2019

Docket 32

***** VACATED *** REASON: Order Denying Motion entered 9/4/19 - jc**

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The hearing is moot in view of the Court's September 4, 2019 order denying the motion.

Party Information

Debtor(s):

Enriquez Q Amezcua Pro Se

Defendant(s):

The North River Insurance Company Pro Se

United States Fire Insurance Pro Se

Plaintiff(s):

John P. Pringle Represented By
Michelle A Marchisotto

Trustee(s):

John P Pringle (TR) Represented By
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, September 12, 2019

Hearing Room 225

9:00 AM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

Adv#: 6:19-01108 Fleming Sr v. Fleming Jr et al

#2.00

Hrg. on Motion filed by Teeple Hall LLP on 8/21/19 to Dismiss Plaintiff's Complaint

Docket 5

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The motions to dismiss the original complaint are moot in view of the filing of an Amended Complaint on August 28, 2019. No party has objected that the filing of the amended complaint is unauthorized under FRCP 15.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

Defendant(s):

Terry Lee Fleming Jr

Represented By
Andrew Still

Havasu Lakeshore Investments

Pro Se

Jean Victor Peloquin

Pro Se

Victor Construction, Inc.

Pro Se

Teeple Hall LLP

Represented By
Frederick M Reich

Hart King

Pro Se

Donald Hamman

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, September 12, 2019

Hearing Room 225

9:00 AM

CONT... Terry Lee Fleming, Sr

Chapter 11

Donna Bader

Pro Se

Higgs Fletcher & Mack LLP

Represented By
Martin A Eliopulos

Plaintiff(s):

Terry Lee Fleming Sr

Represented By
James E Till

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, September 12, 2019

Hearing Room 225

9:00 AM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

Adv#: 6:19-01108 Fleming Sr v. Fleming Jr et al

#3.00

Hrg. on Defendant, Donald Hamman's Motion filed 8/22/19 to Dismiss Adversary Proceeding

Docket 10

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The motions to dismiss the original complaint are moot in view of the filing of an Amended Complaint on August 28, 2019. No party has objected that the filing of the amended complaint is unauthorized under FRCP 15.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

Defendant(s):

Terry Lee Fleming Jr

Represented By
Andrew Still

Havasu Lakeshore Investments

Pro Se

Jean Victor Peloquin

Pro Se

Victor Construction, Inc.

Pro Se

Teeple Hall LLP

Represented By
Frederick M Reich

Hart King

Pro Se

Donald Hamman

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, September 12, 2019

Hearing Room 225

9:00 AM

CONT... Terry Lee Fleming, Sr

Chapter 11

Donna Bader

Pro Se

Higgs Fletcher & Mack LLP

Represented By
Martin A Eliopulos

Plaintiff(s):

Terry Lee Fleming Sr

Represented By
James E Till

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, September 12, 2019

Hearing Room 225

9:00 AM

6:18-19108 Alfred Jake Kendrick

Chapter 7

Adv#: 6:19-01022 Kendrick-Patterson v. Kendrick

#4.00

STATUS CONFERENCE re: Complaint by Regena M Kendrick-Patterson against Alfred Jake Kendrick . (d),(e)) ,(68 (Dischargeability - 523(a)(6), willful and malicious injury)) ,(62 (Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud))

(Cont. from 4/18/19)

Docket 1

***** VACATED *** REASON: Stipulated Judgment entered 8/21/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Alfred Jake Kendrick

Represented By
Rabin J Pournazarian

Defendant(s):

Alfred Jake Kendrick

Pro Se

Plaintiff(s):

Regena M Kendrick-Patterson

Pro Se

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, September 12, 2019

Hearing Room 225

9:00 AM

6:19-15266 Michael A. Madrid

Chapter 11

#5.00

Hrg. on Chapter 11 Status Conference

(Cont. from 8/8/19)

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into Debtor's compliance with U.S. Trustee's guidelines and requirements and whether Debtor's counsel's employment application is unopposed.

Next status conference: November 13, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Michael A. Madrid

Represented By
Benjamin A Yrungaray

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, September 12, 2019

Hearing Room 225

9:00 AM

6:19-16352 Silver Lakes Resort Lodge Interval Owners Associat

Chapter 11

#6.00

Hrg. on Chapter 11 Status Conference

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into Debtor's compliance with U.S. Trustee's guidelines and requirements and will ask Debtor's counsel to provide the Court with a description of Debtor's business, what led to the bankruptcy filing and how Debtor's counsel sees the case proceeding.

Next status conference: November 6, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Silver Lakes Resort Lodge Interval

Represented By
Teresa A. Blasberg

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, September 12, 2019

Hearing Room 225

10:00 AM

6:19-14190 Kim E Stonier and Constance J Stonier

Chapter 7

#1.00

Hrg. on approval of Reaffirmation Agreement filed 8/14/19 Between Debtor and Capital One Auto Finance, a division of Capital One

Docket 17

***** VACATED *** REASON: Case Dismissed on 8/15/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Kim E Stonier

Pro Se

Joint Debtor(s):

Constance J Stonier

Pro Se

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, September 12, 2019

Hearing Room 225

10:00 AM

6:19-15506 Philip John Palomino and Miranda C Palomino

Chapter 7

#2.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and Mechanics Bank, in the amount of \$6,342.87

Re: 2011 Nissan Versa

Docket 13

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtors' best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Philip John Palomino

Represented By
M. Wayne Tucker

Joint Debtor(s):

Miranda C Palomino

Represented By
M. Wayne Tucker

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, September 12, 2019

Hearing Room 225

10:00 AM

6:19-15542 Abel Gonzalez Arreola and Julia Yulima Delgadillo Ramirez

Chapter 7

#3.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and Bank of the West, in the amount of \$26,839.02

Re: 2013 Ford Explorer

Docket 12

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtors' best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Abel Gonzalez Arreola

Represented By
Omar Zambrano

Joint Debtor(s):

Julia Yulima Delgadillo Ramirez

Represented By
Omar Zambrano

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, September 12, 2019

Hearing Room 225

10:00 AM

6:19-16021 Miguel Angel Pardo and Yukary Pardo

Chapter 7

#4.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and OneMain financial Group, LLC, in the amount of \$4805.16

Re: 2004 Ford F-150

Docket 14

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtors' best interest, especially in view of the 12% interest rate.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Miguel Angel Pardo

Represented By
Daniel King

Joint Debtor(s):

Yukary Pardo

Represented By
Daniel King

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 16, 2019

Hearing Room 6C

9:00 AM

8:18-10203 Phillip Barry Greer

Chapter 7

#1.00

Hearing RE: Request For Reconsideration And Clarification Of The Court's Ruling Granting Chriss Street Relief From The Automatic Stay In This Matter (Motion filed 7/23/19)

Docket 66

***** VACATED *** REASON: CONTINUED TO SEPTEMBER 23, 2019
AT 9:00 A.M. PER ORDER CONTINUING HEARING RE MOTION
ENTERED 8-29-19 - (DOCKET NO. [71])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Phillip Barry Greer

Represented By
Phillip Greer

Trustee(s):

Richard A Marshack (TR)

Represented By
James C Bastian Jr
Ryan D O'Dea

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 16, 2019

Hearing Room 6C

9:00 AM

8:19-11370 Carrie Jean Heckel

Chapter 7

#2.00

Motion for relief from stay [Real Property]

U.S. Bank National Association, As Trustee For Lehman XS Trust Mortgage
Pass-Through Certificates, Series 2007-7N vs. DEBTOR
(Motion filed 8/19/19)

[RE: 523 Hampton Street, Anaheim, CA 92801]

Docket 23

***** VACATED *** REASON: CONTINUED TO SEPTEMBER 23, 2019
AT 9:00 A.M. PER ORDER CONTINUING HEARING ON MOTION
ENTERED 8-29-19 - (DOCKET NO. [27])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Carrie Jean Heckel

Represented By
Paul S Nash

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 16, 2019

Hearing Room 6C

9:00 AM

8:14-14604 Felix Martinez

Chapter 13

#3.00

CONT'D RE: **Evidentiary Hearing** RE: Motion for relief from the automatic stay [REAL PROPERTY] As To **Whether Any Payments Have Been Missed**

Deutsche Bank National Trust Company FKA Bankers Trust Company Of California, N.A., As Trustee For The Holders Of AAmes Mortgage Trust, 2002-2 vs. DEBTOR
(Motion filed 6/18/19)
(Evidentiary Hearing set at hearing held 7/15/19)

[RE: 3018 South Manitoba Drive, Santa Ana, CA 92704]

FR: 7-15-19

Docket 88

***** VACATED *** REASON: CONTINUED TO SEPTEMBER 23, 2019
AT 9:00 A.M. PER ORDER SETTING EVIDENTIARY HEARING
ENTERED 7-29-19 - (DOCKET NO. [98])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Felix Martinez

Represented By
Joseph A Weber
Fritz J Firman

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 16, 2019

Hearing Room 6C

2:00 PM

8:19-10212 Hill Concrete Structures

Chapter 11

#1.00

Hearing RE: Motion By United States Trustee To Dismiss Case Or Convert Case To One Under Chapter 7 Pursuant To 11 U.S.C. Section 1112(b) (Motion filed 8/14/19)

Docket 64

***** VACATED *** REASON: CONTINUED TO SEPTEMBER 23, 2019
AT 2:00 P.M. PER ORDER CONTINUING HEARING ON MOTION
ENTERED 8-29-19 - (DOCKET NO. [74])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Hill Concrete Structures

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 16, 2019

Hearing Room 6C

2:00 PM

8:19-11558 Raymond L Lamy

Chapter 7

#2.00

CONT'D Hearing RE: Trustee's Objection to Debtor's Claim of Exemption
(Objection filed 7/5/19)

FR: 8-5-19

Docket 0

***** VACATED *** REASON: CONTINUED TO SEPTEMBER 23, 2019
AT 2:00 P.M. PER ORDER CONTINUING HEARING ON TRUSTEE'S
OBJECTION ENTERED 8-29-19 - (DOCKET NO.: [39])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Raymond L Lamy

Represented By
Antonio John Ibarra

Trustee(s):

Richard A Marshack (TR)

Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 16, 2019

Hearing Room 6C

2:00 PM

8:15-15311 Freedom Communications, Inc.

Chapter 11

#3.00

Hearing RE: Official Committee Of Unsecured Creditors' Motion For Order Approving Settlement Between The Committee, Pension Benefit Guaranty Corporation, Aaron B. Kushner And Eric J. Spitz
(Motion filed 8/21/19)

Docket 1565

***** VACATED *** REASON: CONTINUED TO SEPTEMBER 23, 2019
AT 2:00 P.M. PER ORDER CONTINUING HEARING RE: MOTION
ENTERED 8-29-19) - (DOCKET NO.: [1570])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green
Caroline Djang
Scott D Fink
Reed M Mercado

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, September 17, 2019

Hearing Room 225

9:00 AM

6:19-16152 Karla Yajaira Avila

Chapter 7

#1.00

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

Motion for Relief from Stay

Santander Consumer USA Inc. vs DEBTOR, Charles W. Daff, Trustee
(Motion filed 8/15/19)

RE: 2013 NISSAN ALTIMA VIN 1N4BL3AP7DN557290

Docket 7

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Karla Yajaira Avila

Represented By
Harriet L. Goldfarb

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, September 17, 2019

Hearing Room 225

2:00 PM

6:16-18347 Anthony Lorenzo Marcelo

Chapter 7

#1.00

Hrg. on Trustee's Final Report and Applications for Compensation

Docket 43

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant and allow:

Trustee's fees: \$1,799.32

Trustee's expenses: \$149.37

Shulman Hodges fees: \$20,416.93

Shulman Hodges expenses: \$1,115.59

In the event additional funds come into the estate (unlikely as that may be), the Court will permit renewed fee applications with respect to unrecovered fees of the trustee and trustee's counsel.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Anthony Lorenzo Marcelo

Represented By
Daniel King

Trustee(s):

Karl T Anderson (TR)

Represented By
Leonard M Shulman
Elyza P Eshaghi
Brandon J Iskander
Lynda T Bui

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, September 17, 2019

Hearing Room 225

2:00 PM

6:17-18961 Joseph Edward Putney and Julie Anna Putney

Chapter 7

#2.00

Hrg. on Order to Show Cause why Minh Cong Dang (a.k.a. Ming M. Dang) should not be held in Contempt of Court for knowingly violating the discharge injunction

(Cont. from 8/13/19)

Docket 0

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The hearing will proceed instead on October 21, 2019, as stated in the Court's Order After Hearing entered on September 4, 2019 (docket #37).

Party Information

Debtor(s):

Joseph Edward Putney

Represented By
Jenny L Doling
Summer M Shaw

Joint Debtor(s):

Julie Anna Putney

Represented By
Jenny L Doling
Summer M Shaw

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, September 17, 2019

Hearing Room 225

2:00 PM

6:17-20521 Val James Simon and Katherine Lois Simon

Chapter 7

#3.00

Hrg. on Debtors' Motion to Avoid Judicial Lien with Jamie Taylor

(Cont. from 5/21/19)

Docket 29

Tentative Ruling:

APPEARANCES REQUIRED.

Chapter 7 Debtors Val and Katherine Simon ("Debtors") move to avoid a judicial lien held by Jamie Taylor on a personal injury settlement (the "Subject Property") in the amount of \$80,000 pursuant to 11 U.S.C. § 522(f) (the "Motion").

The basis for avoiding such lien is that the lien purportedly impairs an exemption in the property subject to the lien. The Court previously sustained Jamie Taylor's objection to Debtors' claim of exemption in the Subject Property. Order Sustaining Objection to Exemption, Docket No. 48, filed and entered October 30, 2018 (the "Exemption Order"). Debtors took an appeal of the Exemption Order to the United States District Court for the Central District of California (the "District Court"). The District Court subsequently rendered a decision affirming the Exemption Order.

Because the exemption in the Subject Property has been disallowed, it follows that Jamie Taylor's lien in the Subject Property is not impairing any exemption of Debtors.

The Motion is denied with prejudice.

JAMIE TAYLOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Val James Simon

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, September 17, 2019

Hearing Room 225

2:00 PM

CONT... Val James Simon and Katherine Lois Simon

Chapter 7

Joint Debtor(s):

Katherine Lois Simon

Represented By
Todd L Turoci

Movant(s):

Val James Simon

Represented By
Todd L Turoci
Todd L Turoci
Todd L Turoci

Katherine Lois Simon

Represented By
Todd L Turoci
Todd L Turoci
Todd L Turoci

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 18, 2019

Hearing Room 6C

9:00 AM

8:16-10849 Casey John Simon

Chapter 7

Adv#: 8:16-01187 Gordy v. Simon et al

#1.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Deny And Object To The Debtors' Discharge Pursuant To 11 U.S.C. Section 727 (Complaint filed 8/12/16)

FR: 11-9-16; 3-8-17; 5-31-17; 12-13-17; 2-28-18; 5-30-18; 9-5-18; 1-9-19; 3-27-19; 5-29-19

Docket 1

***** VACATED *** REASON: CONTINUED TO DECEMBER 11, 2019 AT 9:00 A.M. PER STIPULATION AND ORDER TO CONTINUE ENTERED 9-16-19 - (DOCKET NO. [120])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Casey John Simon

Represented By
Kelly Zinser

Defendant(s):

Casey John Simon

Represented By
Kelly Zinser

Korrine Ellen Simon

Represented By
Kelly Zinser

Joint Debtor(s):

Korrine Ellen Simon

Represented By
Kelly Zinser

Plaintiff(s):

Paul Thomas Gordy

Represented By
Gary Leibowitz

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 18, 2019

Hearing Room 6C

9:00 AM

CONT... Casey John Simon

Chapter 7

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 18, 2019

Hearing Room 6C

9:00 AM

8:18-12541 Scott Lawrence Chappell

Chapter 7

Adv#: 8:18-01174 Chappell et al v. Chappell et al

#2.00

CONT'D STATUS CONFERENCE Hearing RE: Adversary Complaint To:
1. Determine Non-Dischargeability Of Debt Pursuant To Section 523(a)(2), and (a)(6);
2. Objection To Discharge Pursuant to 11 U.S.C. Section 727(a)(2) and (a)(4)
(Complaint filed 9/12/18)

FR: 12-12-18; 5-8-19

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire whether the Chapter 7 Trustee continues to oppose the settlement reached through mediation or whether the parties are agreed that the Court should approve the settlement.

The date of the next status conference is to be determined.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Scott Lawrence Chappell

Represented By
Stephen E Olear

Defendant(s):

Scott Lawrence Chappell

Pro Se

Alicia Woolsey

Pro Se

Joint Debtor(s):

Alicia Woolsey

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 18, 2019

Hearing Room 6C

9:00 AM

CONT... Scott Lawrence Chappell

Chapter 7

Stephen E Olear

Plaintiff(s):

William Chappell

Represented By
Stephen A Madoni

Russell Chappell

Represented By
Stephen A Madoni

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 18, 2019

Hearing Room 6C

9:00 AM

8:19-11047 Eric Wayne Mydland

Chapter 7

Adv#: 8:19-01128 Tom Lange Company International, Inc. et al v. Mydland

#3.00

STATUS CONFERENCE Hearing RE: Adversary Complaint To Determine Dischargeability Of Debt Pursuant To 11 U.S.C. Section 523(a)(4) And 11 U.S.C. Section 523(a)(2)
(Complaint filed 7/1/2019)
(First Amended Complaint filed 7/31/19)

Docket 6

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will issue a scheduling order:

1. All discovery shall close on March 31, 2020.
2. All discovery motions shall be heard before April 30, 2020.
3. All pretrial motions shall be heard before May 31, 2020.
4. Pretrial conference is set for June 17, 2020.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Eric Wayne Mydland

Represented By
Bryant C MacDonald

Defendant(s):

Eric Wayne Mydland

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 18, 2019

Hearing Room 6C

9:00 AM

CONT... Eric Wayne Mydland

Chapter 7

Plaintiff(s):

Tom Lange Company International,	Represented By Bart M Botta
Corona-College Heights Orange &	Represented By Bart M Botta
Classic Harvest, LLC	Represented By Bart M Botta

Trustee(s):

Richard A Marshack (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 18, 2019

Hearing Room 6C

9:00 AM

8:16-15208 Michael Younessi

Chapter 11

Adv#: 8:17-01051 Diamond Enterprises, LTD., LP v. Younessi

#4.00

CONT'D Hearing RE: Defendant's Motion For Summary Judgment Or In The
Alternative Summary Adjudication
(Motion filed 5/8/18)

FR: 6-27-18; 8-29-18; 11-14-18; 1-30-19; 6-24-19

Docket 78

***** VACATED *** REASON: CONTINUED TO SEPTEMBER 25, 2019
AT 9:00 A.M. PER ORDER CONTINUING HEARING ENTERED 9-9-19 -
(DOCKET NO. [137])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Younessi

Represented By
Michael Jones
Sara Tidd

Defendant(s):

Michael Younessi

Represented By
Roger Frederickson

Plaintiff(s):

Diamond Enterprises, LTD., LP

Represented By
M Douglas Flahaut

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 18, 2019

Hearing Room 6C

9:00 AM

8:16-15208 Michael Younessi

Chapter 11

#5.00

CONT'D Hearing RE: Motion to Confirm that Obligations to Diamond Enterprises, LTD, LP, are Terminated and to Void Certain Liens (Motion filed 7/24/18) (set per order entered 8/23/18)

FR: 11-14-18; 1-30-19; 6-24-19

Docket 226

***** VACATED *** REASON: CONTINUED TO SEPTEMBER 18, 2019
AT 9:00 A.M. PER ORDER CONTINUING HEARINGS ENTERED 8-6-19
(DOCKET NO. [271])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Younessi

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 18, 2019

Hearing Room 6C

9:00 AM

8:16-15208 Michael Younessi

Chapter 11

#6.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 12/27/16)

FR: 3-8-17; 8-2-17; 11-29-17; 3-28-18; 8-8-18; 12-12-18; 1-30-19; 6-24-19

Docket 1

***** VACATED *** REASON: CONTINUED TO SEPTEMBER 18, 2019
AT 9:00 A.M. PER ORDER CONTINUING HEARINGS ENTERED 8-6-19
(DOCKET NO. [271])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Younessi

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 18, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01012 Official Committee of Unsecured Creditors of Freed v. Kushner et al

#7.00

Hearing RE: Defendants Richard J. Covelli, JTR, LLC, C2 Advisors, LLC, And C & C Marketing LLC's Motion For Summary Judgment (Motion filed 7/29/19)

Docket 133

Tentative Ruling:

APPEARANCES REQUIRED.

Factual Background

Freedom Communications, Inc. and its affiliated entities ("Debtors") owned and operated the *Orange County Register*, a major newspaper in Orange County. Debtors maintained a defined benefit plan (the "Pension Plan") for employee-participants. Rights of employee-participants to distributions from the Pension Plan are insured by the Pension Benefit Guaranty Corporation ("PBGC").

After Debtors commenced this chapter 11 proceeding on or about November 1, 2015, the Official Committee of Unsecured Creditors (the "Committee") was appointed by the Office of the United States Trustee. Subsequently, Debtors assigned to the Committee Debtors' choses in action against various parties including movants herein Richard J. Covelli, JTR, LLC, C2Advisors, LLC and C&C Marketing LLC (collectively, "Movants") for alleged wrongdoing involving the Pension Plan.

The Committee commenced an adversary proceeding on January 26, 2017 against Movants, Messrs. Kushner and Spitz and other parties (the "Adversary Proceeding"). The complaint alleges that Messrs. Kushner and Spitz breached their fiduciary duties by causing the Pension Plan to purchase life insurance-based investments as part of an ill-conceived scheme to make it appear that the Pension Plan was more funded than it actually was. (The scheme may have involved what is sometimes derogatorily

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 18, 2019

Hearing Room 6C

9:00 AM

CONT... Freedom Communications, Inc.

Chapter 11

referred to as "janitor insurance," that is, life insurance on persons other than key employees). The complaint also alleges that Movants facilitated the Pension Plan's investments in the life insurance and earned commissions exceeding \$10 million with respect to the sale and placement of such life insurance.

The Motion for Summary Judgment

Movants move for summary judgment (the "Motion") based upon two independent grounds for relief. First, they argue that the Committee has no standing because the Debtors suffered no injury in fact. Second, they argue that the Committee's claim is barred by the doctrine of *in pari delicto*. Movants also seek summary judgment on certain fraudulent transfer claims.

As Movants see matters, although the Pension Plan may have lost money, Debtors suffered no injury by reason of the Pension Plan's financial difficulties and what the Adversary Proceeding really amounts to is the Committee's assertion of claims against Movants on behalf of the claim of the major creditor in the case, the PBGC. With respect to their second argument, Movants urge the Court to find that alleged bad acts by Messrs. Kushner and Spitz relating to the investment of Pension Plan assets are imputed to Debtors, thus barring the Committee (who holds the Debtors' rights to bring this action) under the rule of *in pari delicto*.

The Procedural Setting of This Adversary Proceeding and the Motion

Discovery in this case is currently ongoing. Although 40 fact depositions have been identified by the parties, only 12 depositions have been completed. Fact discovery closes on November 29, 2019 and expert discovery closes on February 5, 2020. Depositions of Messrs. Kushner, Spitz and Covelli as well as depositions of individuals and entities that worked with Mr. Covelli have yet to be taken.

The Declaration of Alan J. Kornfeld (the "Kornfeld Declaration"), Docket No. 150, filed August 28, 2019, establishes that (1) the Committee intends to depose Messrs. Kushner and Spitz, whose testimony may be material to their contention that these individuals are not "equally culpable" to Movants' alleged intentional wrongdoing, (2)

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 18, 2019

Hearing Room 6C

9:00 AM

CONT... **Freedom Communications, Inc.**

Chapter 11

the Committee intends to depose Movants as well as numerous individuals or entities that assisted Movants, and (3) the Committee intends to depose the auditors of the Pension Plan and prepetition counsel to Debtors and to attempt to show that Debtors truly independent professional advisors played little role in connections with the Pension Plan transactions involving Movants that are alleged to be wrongful.

Application of Civil Rule 56(d)

Federal Rule of Civil Procedure 56(d) provides that if a non-movant shows by declaration that, for specified reasons, it cannot present facts essential to justify its opposition, the Court may defer considering the motion or may deny it. Fed. R. Bankr. P. 7056, Fed. R. Civ. P. 56(d). The Committee urges the Court to apply Rule 56(d) and to determine that the Motion is premature.

The Court agrees with the Committee that the Motion is premature under Rule 56(d). Evidence elicited in the depositions of Messrs. Kushner, Spitz and Covelli may have a material bearing upon the *in pari delicto* argument raised in the Motion. Evidence provided by the Committee's expert witness Elucidor LLC and its principal, Howard Zail, may bear upon Movants' argument that the Debtors incurred no damages. Evidence uncovered through the depositions of persons and entities who assisted Movants in their alleged scheme to defraud Debtors may have a bearing upon whether Movants engaged in intentional wrongful misconduct, thereby having a bearing upon their *in pari delicto* defense.

Conclusion

The Court denies the Motion without prejudice under Rule 56(d). No renewed motion for summary judgment may be filed by Movants prior to March 15, 2020.

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 18, 2019

Hearing Room 6C

9:00 AM

CONT... Freedom Communications, Inc.

Chapter 11

William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green
Caroline Djang
Scott D Fink
Reed M Mercado

Defendant(s):

Aaron Kushner

Represented By
Erinn M Contreras

Eric Spitz

Represented By
Christopher B Queally
James M Sabovich
Raphael Cung

Richard J. Covelli

Represented By
Robert S Marticello
Matthew T Furton

Traci M. Christian

Represented By
Matthew T Furton
Brandon J Witkow

C & C Marketing LLC

Represented By
Robert S Marticello
Matthew T Furton

C2 Advisors, LLC

Represented By
Robert S Marticello
Matthew T Furton

Etaros Actuarial Services LLC

Represented By
Matthew T Furton
Brandon J Witkow

JTR, LLC

Represented By
Robert S Marticello
Matthew T Furton

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 18, 2019

Hearing Room 6C

9:00 AM

CONT... Freedom Communications, Inc.

Chapter 11

Plaintiff(s):

Official Committee of Unsecured

Represented By
Alan J Kornfeld
Elissa A Wagner

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 18, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01176 Official Committee Of Unsecured Creditors v. Southern Lithoplate, Inc.

#8.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Avoidance And Recovery Of Preferential Transfers Pursuant To 11 U.S.C. Sections 547 And 550

(Complaint filed 10/26/17) (set at s/c held 2-28-18)

(S/C set at PTC held 12/19/18)

FR: 2-28-18; 10-24-18; 3-27-19

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into the status of the settlement documentation (apparently pending since March 2019).

The date of the next status conference is to be determined.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By

William N Lobel

Beth Gaschen

Alan J Friedman

Christopher J Green

Caroline Djang

Scott D Fink

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 18, 2019

Hearing Room 6C

9:00 AM

CONT... Freedom Communications, Inc.

Chapter 11

Reed M Mercado

Defendant(s):

Southern Lithoplate, Inc.

Pro Se

Plaintiff(s):

Official Committee Of Unsecured

Represented By
Andrew W Caine

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 18, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01206 Official Committee Of Unsecured Creditors v. Turn-Key Solutions, Inc.

#9.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Avoidance And Recovery Of Preferential Transfers Pursuant To 11 U.S.C. Sections 547 And 550
(Complaint filed 10/26/17)

FR: 4-4-18; 12-12-18; 3-27-19

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The status conference is moot, at least as a practical matter, in view of Plaintiff's September 5, 2019 notice of the dismissal of this case without prejudice pursuant to FRCP 41(a)(1)(A)(i).

As a technical legal matter, however, that Rule permits a plaintiff to dismiss a case without a court order and by unilateral notice only "before the opposing party serves either an answer or a motion for summary judgment" or with "a stipulation of dismissal signed by all parties." FRCP 41(a)(1)(A)(i), (ii).

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green
Caroline Djang

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 18, 2019

Hearing Room 6C

9:00 AM

CONT... Freedom Communications, Inc.

Chapter 11

Scott D Fink
Reed M Mercado

Defendant(s):

Turn-Key Solutions, Inc.

Represented By
Kristofer R McDonald

Plaintiff(s):

Official Committee Of Unsecured

Represented By
Andrew W Caine
Jeffrey P Nolan

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar

Wednesday, September 18, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01184 Official Committee Of Unsecured Creditors v. Professional Courier &

#10.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint For Avoidance
And Recovery Of Preferential Transfers Pursuant To 11 U.S.C. Sections 547
And 550

(Complaint filed 10/26/17)

(PTC set at S/C held 3/28/18)

FR: 3-28-18; 12-19-18; 3-27-19

Docket 1

*** VACATED *** REASON: OFF CALENDAR - ORDER APPROVING
STIPULATION OF DISMISSAL WITH PREJUDICE ENTERED 7-30-19 -
[DOCKET NO. [22])

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green
Caroline Djang
Scott D Fink
Reed M Mercado

Defendant(s):

Professional Courier & Newspaper

Represented By
Justin D Harris

Brandt Brothers, LLC

Represented By
Justin D Harris

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 18, 2019

Hearing Room 6C

9:00 AM

CONT... Freedom Communications, Inc.

Chapter 11

Plaintiff(s):

Official Committee Of Unsecured

Represented By
Andrew W Caine
Jeffrey P Nolan

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 18, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01203 Official Committee Of Unsecured Creditors v. Central National Gottesman,

#11.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Avoidance And Recovery Of Preferential Transfers Pursuant To 11 U.S.C. Sections 547 And 550

(Complaint filed 10/26/17)

FR: 4-4-18; 12-19-18; 3-27-19

Docket 1

***** VACATED *** REASON: OFF CALENDAR; ORDER APPROVING
STIPULATION OF DISMISSAL WITH PREJUDICE ENTERED 6/21/19
(Docket No. [42])**

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the status conference to August 14, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green
Caroline Djang
Scott D Fink
Reed M Mercado

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 18, 2019

Hearing Room 6C

9:00 AM

CONT... Freedom Communications, Inc.

Chapter 11

Defendant(s):

Central National Gottesman, Inc.

Represented By
David M Banker
Kyra E Andrassy

Plaintiff(s):

Official Committee Of Unsecured

Represented By
Andrew W Caine
Jeffrey P Nolan

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 18, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01205 Official Committee Of Unsecured Creditors v. Goodwill Industries of

#12.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Avoidance And Recovery Of Preferential Transfers Pursuant To 11 U.S.C. Sections 547 And 550

(Complaint filed 10/26/17)

FR: 4-4-18, 12-12-18; 3-27-19

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER APPROVING
STIPULATION OF DISMISSAL WITH PREJUDICE ENTERED 8-13-19 -
(DOCKET NO. [21])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green
Caroline Djang
Scott D Fink
Reed M Mercado

Defendant(s):

Goodwill Industries of Orange

Represented By
Donald W Sieveke

Plaintiff(s):

Official Committee Of Unsecured

Represented By
Andrew W Caine

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 18, 2019

Hearing Room 6C

9:00 AM

CONT...

Freedom Communications, Inc.

Jeffrey P Nolan

Chapter 11

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, September 19, 2019

Hearing Room 225

9:00 AM

6:16-15248 Murray Altman

Chapter 11

Adv#: 6:18-01121 Altman v. Shin

#1.00

PRE-TRIAL CONFERENCE re: Complaint by Murray Altman against Yun Hei Shin. (Charge To Estate). Nature of Suit: (12 (Recovery of money/property - 547 preference)),(14 (Recovery of money/property - other))

(Cont from 5/16/19)

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the pretrial conference to November 7, 2019 at 2:00 p.m. to permit the Court to rule upon plan confirmation and the pending motions to dismiss.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

Defendant(s):

Yun Hei Shin

Represented By
Kathleen P March

Plaintiff(s):

Murray Altman

Represented By
Andrew S Bisom

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, September 19, 2019

Hearing Room 225

9:00 AM

6:16-15248 Murray Altman

Chapter 11

#2.00

Hrg. on Chapter 11 Status Conference

(Cont. from 6/20/19)

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the status conference to November 7, 2019 at 2:00 p.m. to permit the Court to rule upon plan confirmation and the pending motions to dismiss.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, September 19, 2019

Hearing Room 225

9:00 AM

6:16-20446 BioData Medical Laboratories, Inc.

Chapter 7

Adv#: 6:18-01119 Todd A. Frealy, Chapter 7 Trustee of the Bankruptc v. Uomoto et al

#3.00

STATUS CONFERENCE re: Complaint by Todd A. Frealy, Chapter 7 Trustee of the Bankruptcy Estate of BioData Medical Laboratories, Inc. against Akemi Uomoto, Henry Wallach. (Charge To Estate \$350). (Attachments: # 1 Adversary Cover Sheet) Nature of Suit: (14 (Recovery of money/property - other))

(Cont. from 7/18/19)

Docket 0

***** VACATED *** REASON: Case Dismissed on 8/14/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

BioData Medical Laboratories, Inc.

Represented By
Robert M Yaspan
Joseph N Darweesh

Defendant(s):

Akemi Uomoto

Represented By
Zev Shechtman

Henry Wallach

Represented By
Zev Shechtman

Plaintiff(s):

Todd A. Frealy, Chapter 7 Trustee of

Represented By
Kurt Ramlo
Juliet Y Oh
Eve H Karasik
Todd A Frealy

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, September 19, 2019

Hearing Room 225

9:00 AM

CONT... BioData Medical Laboratories, Inc.

Chapter 7

Trustee(s):

Todd A. Frealy (TR)

Represented By
Eve H Karasik
Jeffrey S Kwong
Juliet Y Oh
Carmela Pagay

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, September 19, 2019

Hearing Room 225

9:00 AM

6:16-20446 BioData Medical Laboratories, Inc.

Chapter 7

#4.00

Status Conference Hrg. on Chapter 7 Trustee's Motion filed 6/18/18 for entry of order authorizing payment of post-petition payroll taxes of the estate

(Cont. from 7/18/19)

Docket 548

*** VACATED *** REASON: Cont. to 9/26/19 @ 9:00 a.m. - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

BioData Medical Laboratories, Inc.

Represented By
Robert M Yaspan
Joseph N Darweesh

Trustee(s):

Todd A. Frealy (TR)

Represented By
Eve H Karasik
Jeffrey S Kwong
Juliet Y Oh
Carmela Pagay

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, September 19, 2019

Hearing Room 225

9:00 AM

6:17-17512 Douglas Craig Woodard

Chapter 7

Adv#: 6:19-01075 Anderson v. Woodard et al

#5.00

STATUS CONFERENCE re: Complaint by Karl T. Anderson against Douglas Craig Woodard, Blithe Partners, LLC, Douglas C. Woodard, Jr., Janet M. Woodard, Paige Educational Trust, Trey Educational Trust. (Charge To Estate). (\$350.00) Nature of Suit: (13 (Recovery of money/property - 548 fraudulent transfer)),(02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))),(11 (Recovery of money/property - 542 turnover of property)),(91 (Declaratory judgment))

(Cont. from 7/18/19)

Docket 1

*** VACATED *** REASON: Cont. to 12/5/19 @ 9:00 a.m. by order signed on 9/6/19 - yg

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Douglas Craig Woodard	Pro Se
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Defendant(s):

Trey Educational Trust	Pro Se
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Paige Educational Trust	Pro Se
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Janet M. Woodard	Pro Se
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Douglas C. Woodard, Jr.	Pro Se
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Blithe Partners, LLC	Pro Se
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Douglas Craig Woodard	Pro Se
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Plaintiff(s):

Karl T. Anderson	Represented By
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**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, September 19, 2019

Hearing Room 225

9:00 AM

CONT... Douglas Craig Woodard

Melissa Davis Lowe

Chapter 7

Trustee(s):

Karl T Anderson (TR)

Represented By
Leonard M Shulman
Melissa Davis Lowe

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, September 19, 2019

Hearing Room 225

9:00 AM

6:17-17512 Douglas Craig Woodard

Chapter 7

Adv#: 6:19-01075 Anderson v. Woodard et al

#6.00

Hrg. on Defendants' Motion filed 6/21/19 to Dismiss complaint for: (1) Failure to state a claim upon which relief can be granted; (2) Lack of Standing; and (3) Lack of subject matter jurisdiction

(Cont. from 7/18/19)

Docket 4

***** VACATED *** REASON: Matter withdrawn by order signed on 9/6/19**

- yg

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Douglas Craig Woodard

Pro Se

Defendant(s):

Douglas Craig Woodard

Represented By
Michael G Spector

Blithe Partners, LLC

Represented By
Michael G Spector

Douglas C. Woodard, Jr.

Represented By
Michael G Spector

Janet M. Woodard

Represented By
Michael G Spector

Paige Educational Trust

Represented By
Michael G Spector

Trey Educational Trust

Represented By
Michael G Spector

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, September 19, 2019

Hearing Room 225

9:00 AM

CONT... Douglas Craig Woodard

Chapter 7

Plaintiff(s):

Karl T. Anderson

Represented By
Melissa Davis Lowe

Trustee(s):

Karl T Anderson (TR)

Represented By
Leonard M Shulman
Melissa Davis Lowe

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, September 19, 2019

Hearing Room 225

9:00 AM

6:17-20442 Timothy David Murphy
Adv#: 6:18-01071 Murphy v. Murphy et al

Chapter 7

#7.00

PRE-TRIAL CONFERENCE re: Complaint to deny discharge under
11 U.S.C. Section 727(a)(4)(A)

(Cont. from 4/25/19)

Docket 31

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will order this adversary proceeding into mediation. The parties shall file a mediation stipulation and lodge an order thereon on or before November 15, 2019.

The Court continues the pretrial conference to February 20, 2020 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Timothy David Murphy Pro Se

Defendant(s):

Timothy David Murphy Represented By
Timothy D Murphy

Plaintiff(s):

Mark M. Murphy Represented By
Larry D Webb

Trustee(s):

Lynda T. Bui (TR) Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, September 19, 2019

Hearing Room 225

9:00 AM

CONT...

Timothy David Murphy

Michelle A Marchisotto

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, September 19, 2019

Hearing Room 225

9:00 AM

6:18-14202 Armando C Meras

Chapter 7

Adv#: 6:19-01068 Pringle v. Meras et al

#8.00

Hrg. on Plaintiff's Motion filed 8/6/19 For Summary Judgment

Docket 10

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and enter summary judgment against Debtors pursuant to 11 U.S.C. § 727(a)(4)(A), 727(a)(4)(D) and 727(a)(3).

WITHIN 7 DAYS, CHAPTER 7 TRUSTEE SHALL LODGE (1) AN ORDER GRANTING THE MOTION FOR SUMMARY JUDGMENT, AND (2) A FORM OF JUDGMENT.

Party Information

Debtor(s):

Armando C Meras

Represented By
Yoon O Ham

Defendant(s):

Armando C. Meras

Represented By
Yoon O Ham

Veronica Y. Meras

Represented By
Yoon O Ham

Joint Debtor(s):

Veronica Y Meras

Represented By
Yoon O Ham

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, September 19, 2019

Hearing Room 225

9:00 AM

CONT... Armando C Meras

Chapter 7

Plaintiff(s):

John P. Pringle

Represented By
Toan B Chung

Trustee(s):

John P Pringle (TR)

Represented By
Toan B Chung

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, September 19, 2019

Hearing Room 225

9:00 AM

6:18-20210 Israel Antonio Mendoza Barillas

Chapter 7

Adv#: 6:19-01048 Chareunsouk v. Barillas

#9.00

STATUS CONFERENCE Re: Complaint to objection/revocation of discharge

(Request for Entry of Default entered 4/12/19)

Docket 1

***** VACATED *** REASON: Default Judgment entered on 7/8/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Israel Antonio Mendoza Barillas

Represented By
Curtis R Aijala

Defendant(s):

Israel Antonio Mendoza Barillas

Pro Se

Plaintiff(s):

Sayngeune Chareunsouk

Pro Se

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, September 19, 2019

Hearing Room 225

9:00 AM

6:19-12394 Michael Walter Maynard, II

Chapter 7

Adv#: 6:19-01095 Golden 1 Credit Union v. Maynard, II

#10.00

STATUS CONFERENCE re: Complaint by Golden 1 Credit Union against Michael Walter Maynard II. willful and malicious injury)),(62 (Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud))

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will issue a scheduling order:

1. All discovery shall close February 29, 2020.
2. All discovery motions shall be heard before March 31, 2020.
3. All pretrial motions shall be heard before April 30, 2020.
4. Pretrial conference is set for May 7, 2020 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Michael Walter Maynard II

Represented By
Melissa A Raskey

Defendant(s):

Michael Walter Maynard II

Pro Se

Plaintiff(s):

Golden 1 Credit Union

Represented By
Mirco J Haag

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, September 19, 2019

Hearing Room 225

9:00 AM

CONT... Michael Walter Maynard, II

Chapter 7

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 23, 2019

Hearing Room 6C

9:00 AM

8:14-14604 Felix Martinez

Chapter 13

#1.00

CONT'D RE: **Evidentiary Hearing** RE: Motion for relief from the automatic stay [Real Property] As To **Whether Any Payments Have Been Missed**

Deutsche Bank National Trust Company FKA Bankers Trust Company Of California, N.A., As Trustee For The Holders Of AAmes Mortgage Trust, 2002-2 vs. DEBTOR
(Motion filed 6/18/19)
(Evidentiary Hearing set at hearing held 7/15/19)

[RE: 3018 South Manitoba Drive, Santa Ana, CA 92704]

FR: 7-15-19; 9-16-19

Docket 88

***** VACATED *** REASON: OFF CALENDAR - ORDER APPROVING STIPULATION FOR VOLUNTARY DISMISSAL OF MOTION ENTERED 9-18-19 (DOCKET NO. [108])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Felix Martinez

Represented By
Joseph A Weber
Fritz J Firman

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 23, 2019

Hearing Room 6C

9:00 AM

8:19-13226 Donnie R Poucher

Chapter 13

#2.00

Hearing RE: Motion in Individual Case for Order Confirming Termination of Stay under 11 U.S.C. 362(c)(3) Or That No Stay Is In Effect Under 11 U.S.C. 362(c)(4)(A)(ii)

Wells Fargo Bank, National Association vs. DEBTOR
(Motion filed 8/21/19)
(Amended Motion filed 8/26/19)

[RE: 536 E. Lincoln Avenue, Orange, CA 92865]

Docket 14

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion. The Court determines that, pursuant to 11 U.S.C. § 362(c)(4)(A)(ii), no automatic stay is now in effect or has ever been in effect as to this bankruptcy case.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Donnie R Poucher

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 23, 2019

Hearing Room 6C

9:00 AM

8:19-11218 US Direct LLC

Chapter 7

#3.00

CONT'D Motion for relief from stay [Personal Property]

W+D North America, Inc. vs. DEBTOR
(Motion filed 8/20/19)

**[RE: Equipment: Winkler+Dunnebie, 102 Envelope Manufacturing
Machine, Serial No. 11147]**

FR: 9-9-19

Docket 94

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

US Direct LLC

Represented By
Donald W Sieveke

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Roye Zur

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 23, 2019

Hearing Room 6C

9:00 AM

8:19-11370 Carrie Jean Heckel

Chapter 7

#4.00

CONT'D Motion for relief from stay [Real Property]

U.S. Bank National Association, As Trustee For Lehman XS Trust Mortgage
Pass-Through Certificates, Series 2007-7N vs. DEBTOR
(Motion filed 8/19/19)

[RE: 523 Hampton Street, Anaheim, CA 92801]

FR: 9-16-19

Docket 23

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Carrie Jean Heckel

Represented By
Paul S Nash

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 23, 2019

Hearing Room 6C

9:00 AM

8:18-10203 Phillip Barry Greer

Chapter 7

#5.00

CONT'D Hearing RE: Request For Reconsideration And Clarification Of The Court's Ruling Granting Chriss Street Relief From The Automatic Stay In This Matter
(Motion filed 7/23/19)

FR: 9-16-19

Docket 66

Tentative Ruling:

APPEARANCES REQUIRED.

The Court's docket affirmatively shows that a hearing on Street's motion for relief from stay was held on November 26, 2018 and that the motion was granted. (Docket No. 61 in the main bankruptcy case.)

Additionally, movant has presented no newly discovered evidence, no change in the law and no reason to believe the Court's ruling is erroneous. The motion for reconsideration is denied.

STREET TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Phillip Barry Greer

Represented By
Phillip Greer

Trustee(s):

Richard A Marshack (TR)

Represented By
James C Bastian Jr
Ryan D O'Dea

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 23, 2019

Hearing Room 6C

2:00 PM

8:11-18693 Private Asset Group, Inc

Chapter 7

#1.00

Hearing RE: Trustee's Final Report And Applications For Compensation And Reimbursement Of Expenses
(Final Report filed 8/21/19
(Amended Final Report filed 8/21/19))

[RE: ZAMPI, DETERMANN & ERICKSON - Special Counsel For Chapter 7 Trustee]

[Fees: \$530,115.50; Expenses: \$0.00]

[RE: PETER J. MASTAN - Chapter 7 Trustee]

[Fees: \$47,348.71; Expenses: \$117.77]

[RE: KEVIN MONSON - Attorney For Chapter 7 Trustee]

[Fees: \$850,755.00; Expenses: \$82,139.36]

[RE: SMILEY WANG-EKVALL, LLP - Attorney For Chapter 7 Trustee]

[Fees: \$169,539.50; Expenses: \$5,557.79]

[RE: LAW OFFICE OF THOMAS H. CASEY, INC. - Attorney For Chapter 7 Trustee]

[Fees: \$342,662.85; Expenses: \$31,119.31]

[RE: CROWE HORWATH LLP - Accountant For Chapter 7 Trustee]

[Fees: 57,217.50; Expenses: \$611.00]

[RE: GROBSTEIN TEEPLE, LLP - Accountant For Chapter 7 Trustee]

[Fees: \$21,144.00; Expenses: \$3,084.21]

[RE: SALL SPENCER CALLAS & KRUEGAR - Consultant For Chapter 7 Trustee]

[Fees: 40,875.00; Expenses: \$51.88]

Docket 852

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 23, 2019

Hearing Room 6C

2:00 PM

**CONT... Private Asset Group, Inc
Tentative Ruling:**

Chapter 7

APPEARANCES REQUIRED.

The Court will grant the application in part, deny it in part and allow as follows:

Trustee's fees: \$47,348.71
Trustee's expenses: \$117.77

Smiley Wang-Ekval fees: \$169,539.50
Smiley Wang-Ekval expenses: \$5,557.79

Thomas H. Casey fees: \$380,736.50
Thomas H. Casey expenses: \$31,119.31

Crowe Horwath fees: \$57,217.50
Crowe Horwath expenses: \$611.00

Grobstein Teeple fees: \$21,144.00
Grobstein Teeple expenses: \$3,084.21

Sall Spencer fees: \$40,875.00
Sall Spencer expenses: \$51.88

Bond premium: \$4,277.87

Kevin Monson fees: \$850,440.00
Kevin Monson expenses: \$82,139.36
Final payment to Mr. Monson is \$10,440.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Private Asset Group, Inc

Represented By
Matthew E Faler

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 23, 2019

Hearing Room 6C

2:00 PM

CONT... Private Asset Group, Inc

Chapter 7

Trustee(s):

Peter J Mastan (TR)

Represented By

Thomas H Casey

Steve Burnell

Lei Lei Wang Ekvall

Autumn D Spaeth ESQ

Kyra E Andrassy

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 23, 2019

Hearing Room 6C

2:00 PM

8:19-10402 Sepideh Sally Cirino

Chapter 11

#2.00

Hearing RE: Motion By United States Trustee To Convert Case To Chapter 7
Or Dismiss Pursuant To 11 U.S.C. Section 1112(b)
(Motion filed 8/22/19)

Docket 71

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion pursuant to 11 U.S.C. § 1112(b) for the reasons argued by the U.S. Trustee.

The Court will inquire whether the U.S. Trustee has a view on whether the best interest of creditors argues in favor of dismissal or conversion to chapter 7.

UNITED STATES TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Sepideh Sally Cirino

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 23, 2019

Hearing Room 6C

2:00 PM

8:15-15311 Freedom Communications, Inc.

Chapter 11

#3.00

CONT'D Hearing RE: Official Committee Of Unsecured Creditors' Motion For Order Approving Settlement Between The Committee, Pension Benefit Guaranty Corporation, Aaron B. Kushner And Eric J. Spitz
(Motion filed 8/21/19)

FR: 9-16-19

Docket 1565

Tentative Ruling:

APPEARANCES REQUIRED.

Factual Background

Freedom Communications, Inc. and its affiliated entities ("Debtors") owned and operated the *Orange County Register*, a major newspaper in Orange County. Debtors maintained a defined benefit plan (the "Pension Plan") for employee-participants. Rights of employee-participants to distributions from the Pension Plan are insured by the Pension Benefit Guaranty Corporation ("PBGC").

After Debtors commenced this chapter 11 proceeding on or about November 1, 2015, the Official Committee of Unsecured Creditors (the "Committee") was appointed by the Office of the United States Trustee. Subsequently, Debtors assigned to the Committee Debtors' choses in action against former officers Aaron Kushner ("Mr. Kushner") and Eric Spitz ("Mr. Spitz") and various other parties for alleged wrongdoing involving the Pension Plan.

The Committee commenced an adversary proceeding on January 26, 2017 against Messrs. Kushner and Spitz and other parties (the "Adversary Proceeding") alleging that Messrs. Kushner and Spitz breached their fiduciary duties by causing the Pension Plan to purchase life insurance-based investments as part of an ill-conceived scheme to make it appear that the Pension Plan was more funded than it actually was. (The

**United States Bankruptcy Court
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CONT... Freedom Communications, Inc.

Chapter 11

scheme may have involved what is sometimes derogatorily referred to as "janitor insurance," that is, life insurance on persons other than key employees). Included as defendants in the Adversary Proceedings are persons and entities who are alleged to have facilitated the Pension Plan's investments in the life insurance and to have earned commissions exceeding \$10 million with respect to the sale and placement of such life insurance.

On February 14, 2019, the PBGC commenced an action in the United States District Court for the Central District of California (the "District Court") against Messrs. Kushner, Spitz and other defendants (the "District Court Action"). The District Court Action alleges causes of action for alleged breaches of the duties of loyalty and prudence, alleged liability as fiduciaries for prohibited transactions and other wrongdoing.

The Motion

The Committee now moves for entry of an approving a settlement (the "Motion") among the Committee, the PBGC, and Messrs. Kushner and Spitz whereby upon approval of the settlement by both this Court and the District Court, insurers Chubb and Hiscox would pay \$7,835,000 to the Committee by wire transfer in exchange for releases by the Debtors, the Committee and the PBGC of claims and causes of action against Messrs. Kushner and Spitz. Expressly excluded from the settlement are claims and causes of action against Richard J. Covelli, Traci M. Christian and various entities (the "Covelli-Christian Parties").

The Committee argues in the Motion that the settlement is in the best interests of the Debtors' bankruptcy estates and should be approved by the Court for the following reasons: (1) Messrs. Kushner and Spitz lack the financial capacity to materially contribute to a settlement or to pay a judgment, thereby leaving the \$5 million Chubb policy and \$5 million Hiscox policy as the only sources of settlement moneys; (2) the Chubb policy and the Hiscox policy is each a so-called "burning limits" policy such that litigation costs will reduce the total amount available under the policy to pay a settlement or judgment; and (3) the proposed settlement is reasonable under the

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circumstances, fair and equitable and in the best interests of the bankruptcy estate and creditor constituencies because it satisfies the standards of *In re A&C Properties*, 784 F.2d 1377 (9th Cir. 1986). One of the standards of *A & C Properties* is difficulty in collection. The Motion points out that the two insurance policies referenced above are the only source of collection money and that the \$7,835,000 payment will exhaust the remaining projected amount of insurance coverage under those policies taking into account their "burning limits" feature.

The second and third factors in *A&C Properties* relate to the complexity of the litigation and the likelihood of success in the litigation. The Committee argues that the litigation is very complex, that 20 depositions of fact witnesses will be required if the case does not settle and that litigation costs funded by Chubb and Hiscox will materially erode the policy limits. The Committee believes it will prevail in the litigation.

The fourth and final factor relates to the paramount interests of creditors. Clearly, the paramount interest of creditors is to maximize the value of the bankruptcy estates so that maximum distributions can be made to creditors. The Committee contends that the proposed settlement accomplishes this by extracting the full amount available under the policies from the insurers – who are the only parties financially capable of paying a settlement or a judgment.

Opposition to the Motion

The Covelli-Christian Parties oppose the settlement on the ground that the settlement agreement leaves unclear the precise amount that the Debtors' bankruptcy estates will net from the \$7,835,000 settlement. They point out that the settlement agreement provides that in numbered paragraph 3 the \$7,835,000 will be allocated between the Debtors' bankruptcy estates on one hand and the PBGC on the other hand pursuant to an agreement between the Committee and the PBGC subject to this Court's approval. They argue that this Court lacks information necessary to a proper evaluation of the settlement agreement (and cannot determine whether the settlement was made in good faith) because it is unknown at this time how much of the \$7,835,000 the bankruptcy

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estates will actually receive.

Chapter 11

Analysis

As a matter of common sense and logic, it is unnecessary for this Court to know how much the Debtors' bankruptcy estates will net from the \$7,835,000 settlement in order to determine whether the settlement should be approved under *A&C Properties*. Where, as here, a settlement extracts the maximum amount possible from the settling defendants, this is the best case scenario and cannot be improved upon. The Motion does not ask the Court to approve a settlement between the Committee and the PBGC, it asks the Court to approve a settlement between the Committee and PBGC on one hand and Messrs. Kushner and Spitz on the other hand. The proper allocation between the Committee and the PBGC is an issue for another day and need not be decided here. The settlement proposed here maximizes the pool of money to be allocated between the Committee and the PBGC, and that is all that matters with respect to such settlement in terms of Court approval.

The Motion is granted. The Committee shall lodge the order.

The Covelli-Christian Parties' request for judicial notice is granted.

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green
Caroline Djang
Scott D Fink
Reed M Mercado

**United States Bankruptcy Court
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Hearing Room 6C

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8:19-11558 Raymond L Lamy

Chapter 7

#4.00

CONT'D Hearing RE: Trustee's Objection to Debtor's Claim of Exemption
(Objection filed 7/5/19)

FR: 8-5-19; 9-16-19

Docket 24

***** VACATED *** REASON: OFF CALENDAR - ORDER APPROVING
COMPROMISE AND SETTLEMENT AGREEMENT ENTERED 8-30-19 -
(DOCKET NO. [41])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Raymond L Lamy

Represented By
Antonio John Ibarra

Trustee(s):

Richard A Marshack (TR)

Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
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Monday, September 23, 2019

Hearing Room 6C

2:00 PM

8:19-10212 Hill Concrete Structures

Chapter 11

#5.00

CONT'D Hearing RE: Motion By United States Trustee To Dismiss Case Or Convert Case To One Under Chapter 7 Pursuant To 11 U.S.C. Section 1112(b) (Motion filed 8/14/19)

FR: 9-16-19

Docket 64

***** VACATED *** REASON: OFF CALENDAR - VOLUNTARY
DISMISSAL OF U.S. TRUSTEE'S MOTION TO DISMISS OR CONVERT
FILED 9-13-19 - (DOCKET NO. [78])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Hill Concrete Structures

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
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8:19-12375 South Coast Behavioral Health, Inc.

Chapter 11

#6.00

Hearing RE: Motion For Reconsideration Of Order Denying Motion For Order Authorizing 2004 Examination Of Charles McPhail Sr.
(Motion filed 8/29/19)

Docket 270

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion for reconsideration in the form proposed by Reliable Fast Cash. For the avoidance of doubt, the Debtor made several arguments as to why Reliable Fast Cash lacked standing. The Court resolved the 2004 examination motion by selecting one of those grounds. The granting of this Motion for Reconsideration in no way implies that the other arguments made by Debtor are invalid (or valid).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

South Coast Behavioral Health, Inc.

Represented By
Michael N Nicastro
Sean A OKeefe

**United States Bankruptcy Court
Central District of California
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Judge Mark Wallace, Presiding
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Monday, September 23, 2019

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2:00 PM

8:19-12375 South Coast Behavioral Health, Inc.

Chapter 11

#7.00

Hearing RE: Motion For Reconsideration Of Order Denying Motion For Order Authorizing 2004 Examination Of Brian Weiss
(Motion filed 8/29/19)

Docket 269

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion for reconsideration in the form proposed by Reliable Fast Cash. For the avoidance of doubt, the Debtor made several arguments as to why Reliable Fast Cash lacked standing. The Court resolved the 2004 examination motion by selecting one of those grounds. The granting of this Motion for Reconsideration in no way implies that the other arguments made by Debtor are invalid (or valid).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

South Coast Behavioral Health, Inc.

Represented By
Michael N Nicastro
Sean A OKeefe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
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2:00 PM

8:19-12375 South Coast Behavioral Health, Inc.

Chapter 11

#8.00

Hearing RE: Motion For Reconsideration Of Order Denying Motion For Order Authorizing 2004 Examination Of Andre McPhail (Motion filed 8/29/19)

Docket 268

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion for reconsideration in the form proposed by Reliable Fast Cash. For the avoidance of doubt, the Debtor made several arguments as to why Reliable Fast Cash lacked standing. The Court resolved the 2004 examination motion by selecting one of those grounds. The granting of this Motion for Reconsideration in no way implies that the other arguments made by Debtor are invalid (or valid).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

South Coast Behavioral Health, Inc.

Represented By
Michael N Nicastro
Sean A OKeefe

**United States Bankruptcy Court
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Judge Mark Wallace, Presiding
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Monday, September 23, 2019

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2:00 PM

8:19-12375 South Coast Behavioral Health, Inc.

Chapter 11

#9.00

Hearing RE: Motion by Debtor for an Order Extending the Time in Which the Debtor May Assume or Reject Unexpired Leases of Nonresidential Real Property
(Motion filed 8/29/19)

Docket 275

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

South Coast Behavioral Health, Inc.

Represented By
Michael N Nicastro
Sean A OKeefe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 23, 2019

Hearing Room 6C

2:00 PM

8:15-15715 William John Murphy and Cheryl Lynn Murphy

Chapter 7

#10.00

Hearing RE: Second And Final Fee Application For Compensation And Reimbursement Of Expenses For The Period From September 1, 2018 Through August 29, 2019
(Application filed 8/29/19)
(Set per Order Entered 9/4/19)

**[RE: SULMEYERKUPETZ, A PROFESSIONAL CORPORATION - Attorneys For Jeffrey I. Golden, Chapter 7 Trustee]
[Fees: \$29,127.50; Expenses: \$457.26]**

Docket 210

***** VACATED *** REASON: CONTINUED TO OCTOBER 21, 2019 AT 2:00 P.M. PER ORDER CONTINUING HEARING ENTERED 9-19-19 - (DOCKET NO. [219])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

William John Murphy

Represented By
Sean A OKeefe
Michael N Nicastro

Joint Debtor(s):

Cheryl Lynn Murphy

Represented By
Sean A OKeefe

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Jason Balitzer
Steven Werth

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, September 24, 2019

Hearing Room 225

9:00 AM

6:18-18731 Scott Shih Lee

Chapter 7

#1.00

Aldridge Pite, LLP - movant attorney

Motion for Relief from Stay

Wilmington Savings Fund Society vs. DEBTOR
(Motion filed 8/28/19)

Re: 2376 Bur Oak Drive, Cantonment, Florida 32533-7571

Docket 126

*** VACATED *** REASON: Cont. tol 9/24/19 @ 2:00 p.m. - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Scott Shih Lee

Represented By
Ronald D Halpern

Trustee(s):

Robert Whitmore (TR)

Represented By
D Edward Hays
Tinho Mang

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, September 24, 2019

Hearing Room 225

9:00 AM

6:19-14075 Daniel Carter Curtis

Chapter 7

#2.00

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

Motion for Relief from Stay

Ford Motor Credit Company LLC vs. DEBTOR, Howard B. Grobstein, trustee
(Motion filed 8/28/19)

Re: 2017 Ford C-Max, VIN: 1FADP5EU0HL108270

Docket 18

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Daniel Carter Curtis

Represented By
Robert L Firth

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
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Tuesday, September 24, 2019

Hearing Room 225

9:00 AM

6:19-16713 Carlos Thorne and Ana Thorne

Chapter 7

#3.00

Bonial & Associates, P.C. - movant attorney

Toyota Lease Trust vs. DEBTOR

Motion for Relief from Stay
(Motion filed 8/20/19)

RE: 2018 Toyota Highlander

Docket 21

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1) only.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Carlos Thorne

Represented By
Paul Y Lee

Joint Debtor(s):

Ana Thorne

Represented By
Paul Y Lee

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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Judge Mark Wallace, Presiding
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Tuesday, September 24, 2019

Hearing Room 225

9:00 AM

6:19-17135 Noreena K. Cuellar

Chapter 7

#4.00

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

Motion for Relief from Stay

Ford Motor Credit Company LLC vs. DEBTOR, Charles W. Daff, trustee
(Motion filed 8/28/19)

Re: 2016 FORD EXPLORER VIN 1FM5K7B82GGA18234

EH_____

Docket 8

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Noreena K. Cuellar

Represented By
Christopher J Langley

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, September 24, 2019

Hearing Room 225

2:00 PM

6:18-10094 Deontay Daymont Potter and Joy Shaun Potter

Chapter 11

#1.00

Hrg. on Debtors' Motion filed 8/28/19 to Dismiss Chapter 11 Case

Docket 211

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion and dismiss the action.

DEBTORS TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Deontay Daymont Potter

Represented By
M. Jonathan Hayes

Joint Debtor(s):

Joy Shaun Potter

Represented By
M. Jonathan Hayes

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, September 24, 2019

Hearing Room 225

2:00 PM

6:18-18731 Scott Shih Lee

Chapter 7

#2.00

Hrg. on Order to Show Cause as to why Debtor should not be held in contempt of court for failing to comply with Court Orders

Docket 109

Tentative Ruling:

APPEARANCES REQUIRED.

Debtor Scott Shih Lee is required to appear in person. He may be represented by counsel but must appear irrespective of counsel's appearance or non-appearance.

The Court will inquire whether Mr. Lee has complied with the Turnover Order.

Party Information

Debtor(s):

Scott Shih Lee

Represented By
Ronald D Halpern

Trustee(s):

Robert Whitmore (TR)

Represented By
D Edward Hays
Tinho Mang

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, September 24, 2019

Hearing Room 225

2:00 PM

6:18-18731 Scott Shih Lee

Chapter 7

#2.10

Aldridge Pite, LLP - movant attorney

Motion for Relief from Stay

Wilmington Savings Fund Society vs. DEBTOR
(Motion filed 8/28/19)

Re: 2376 Bur Oak Drive, Cantonment, Florida 32533-7571

(Cont. from 9:00 a.m. calendar)

Docket 126

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Scott Shih Lee

Represented By
Ronald D Halpern

Trustee(s):

Robert Whitmore (TR)

Represented By
D Edward Hays
Tinho Mang

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, September 24, 2019

Hearing Room 225

2:00 PM

6:19-12659 Sonya Leah Budke and Rodney Norman Budke

Chapter 7

#3.00

Hrg. on chapter 7 trustee's Motion filed 8/24/19 for Turnover of Property of Estate Held by Debtors Pursuant to 11 USC § 542(a) and (e)

Docket 21

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Sonya Leah Budke

Represented By
Yoon O Ham

Joint Debtor(s):

Rodney Norman Budke

Represented By
Yoon O Ham

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 25, 2019

Hearing Room 6C

9:00 AM

8:16-15208 Michael Younessi

Chapter 11

#1.00

CONT'D Hearing RE: Motion to Confirm that Obligations to Diamond Enterprises, LTD, LP, are Terminated and to Void Certain Liens (Motion filed 7/24/18) (set per order entered 8/23/18)

FR: 11-14-18; 1-30-19; 6-24-19; 9-18-19

Docket 226

Tentative Ruling:

APPEARANCES REQUIRED.

The Court appreciates the parties' statement in the joint status reports that they would like the matter to be sent to mediation at this time and that "the parties continue to believe a global resolution is worthy of pursuing."

It is axiomatic that money spent by a debtor in litigating a creditor's claim is money that cannot be paid to the creditor. On the creditor side, there is sometimes a risk that the sum total of money spent by a creditor in pursuing a debtor through litigation will exceed the amount of money such creditor could ever hope to recover from the debtor.

Here, the Court is considering whether it should (1) temporarily stay the pending adversary proceedings and (2) continue the two pending motions to permit mediation to take place and conclude (hopefully successfully). At the status conference, the Court will ask the parties for their views on this approach and also for an estimate of how much time likely will be required for a mediation.

Party Information

Debtor(s):

Michael Younessi

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 25, 2019

Hearing Room 6C

9:00 AM

CONT...

Michael Younessi

Chapter 11

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 25, 2019

Hearing Room 6C

9:00 AM

8:16-15208 Michael Younessi

Chapter 11

#2.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 12/27/16)

FR: 3-8-17; 8-2-17; 11-29-17; 3-28-18; 8-8-18; 12-12-18; 1-30-19; 6-24-19;
9-18-19

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court appreciates the parties' statement in the joint status reports that they would like the matter to be sent to mediation at this time and that "the parties continue to believe a global resolution is worthy of pursuing."

It is axiomatic that money spent by a debtor in litigating a creditor's claim is money that cannot be paid to the creditor. On the creditor side, there is sometimes a risk that the sum total of money spent by a creditor in pursuing a debtor through litigation will exceed the amount of money such creditor could ever hope to recover from the debtor.

Here, the Court is considering whether it should (1) temporarily stay the pending adversary proceedings and (2) continue the two pending motions to permit mediation to take place and conclude (hopefully successfully). At the status conference, the Court will ask the parties for their views on this approach and also for an estimate of how much time likely will be required for a mediation.

Party Information

Debtor(s):

Michael Younessi

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
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CONT...

Michael Younessi

Chapter 11

**United States Bankruptcy Court
Central District of California
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Wednesday, September 25, 2019

Hearing Room 6C

9:00 AM

8:16-15208 Michael Younessi

Chapter 11

Adv#: 8:17-01051 Diamond Enterprises, LTD., LP v. Younessi

#3.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Determination That Debt Is Non-Dischargeable Pursuant To 11 U.S.C. Sections 523(a)(2), (a)(4), (a)(6), And (a)(9)
(Complaint filed 4/10/17)
(Another Summons issued 6/8/17)
(PTC set at S/C held 9/13/17)
(S/C set per Order Entered 8-6-19)

FR: 6-28-17; 8-30-17; 9-13-17; 3-28-18; 4-25-18; 7-25-18; 10-24-18; 1-16-19; 4-10-19; 8-14-19

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court appreciates the parties' statement in the joint status reports that they would like the matter to be sent to mediation at this time and that "the parties continue to believe a global resolution is worthy of pursuing."

It is axiomatic that money spent by a debtor in litigating a creditor's claim is money that cannot be paid to the creditor. On the creditor side, there is sometimes a risk that the sum total of money spent by a creditor in pursuing a debtor through litigation will exceed the amount of money such creditor could ever hope to recover from the debtor.

Here, the Court is considering whether it should (1) temporarily stay the pending adversary proceedings and (2) continue the two pending motions to permit mediation to take place and conclude (hopefully successfully). At the status conference, the Court will ask the parties for their views on this approach and also for an estimate of how much time likely will be required for a mediation.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
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Wednesday, September 25, 2019

Hearing Room 6C

9:00 AM

CONT... Michael Younessi

Chapter 11

Debtor(s):

Michael Younessi

Represented By
Michael Jones
Sara Tidd

Defendant(s):

Michael Younessi

Represented By
Roger Frederickson

Plaintiff(s):

Diamond Enterprises, LTD., LP

Represented By
M Douglas Flahaut

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 25, 2019

Hearing Room 6C

9:00 AM

8:16-15208 Michael Younessi

Chapter 11

Adv#: 8:17-01051 Diamond Enterprises, LTD., LP v. Younessi

#3.10

CONT'D Hearing RE: Defendant's Motion For Summary Judgment Or In The Alternative Summary Adjudication
(Motion filed 5/8/18)

FR: 6-27-18; 8-29-18; 11-14-18; 1-30-19; 6-24-19; 9-18-19

Docket 78

Tentative Ruling:

APPEARANCES REQUIRED.

The Court appreciates the parties' statement in the joint status reports that they would like the matter to be sent to mediation at this time and that "the parties continue to believe a global resolution is worthy of pursuing."

It is axiomatic that money spent by a debtor in litigating a creditor's claim is money that cannot be paid to the creditor. On the creditor side, there is sometimes a risk that the sum total of money spent by a creditor in pursuing a debtor through litigation will exceed the amount of money such creditor could ever hope to recover from the debtor.

Here, the Court is considering whether it should (1) temporarily stay the pending adversary proceedings and (2) continue the two pending motions to permit mediation to take place and conclude (hopefully successfully). At the status conference, the Court will ask the parties for their views on this approach and also for an estimate of how much time likely will be required for a mediation.

Party Information

Debtor(s):

Michael Younessi

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
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Wednesday, September 25, 2019

Hearing Room 6C

9:00 AM

CONT... Michael Younessi

Chapter 11

Defendant(s):

Michael Younessi

Represented By
Roger Frederickson

Plaintiff(s):

Diamond Enterprises, LTD., LP

Represented By
M Douglas Flahaut

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
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Wednesday, September 25, 2019

Hearing Room 6C

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8:16-15208 Michael Younessi

Chapter 11

Adv#: 8:18-01150 Diamond Enterprises, Ltd, LP v. Younessi

#4.00

CONT'D STATUS CONFERENCE Hearing RE: Adversary Complaint:
(1) To Revoke Confirmation Of The First Amended Plan;
(2) For Fraud By Misrepresentation And/Or Omission
(Complaint filed 7/27/18)
(PTC set at S/C held 10/17/18)
(S/C set per Order Entered 8-6-19)

FR: 10-17-18; 8-14-19

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court appreciates the parties' statement in the joint status reports that they would like the matter to be sent to mediation at this time and that "the parties continue to believe a global resolution is worthy of pursuing."

It is axiomatic that money spent by a debtor in litigating a creditor's claim is money that cannot be paid to the creditor. On the creditor side, there is sometimes a risk that the sum total of money spent by a creditor in pursuing a debtor through litigation will exceed the amount of money such creditor could ever hope to recover from the debtor.

Here, the Court is considering whether it should (1) temporarily stay the pending adversary proceedings and (2) continue the two pending motions to permit mediation to take place and conclude (hopefully successfully). At the status conference, the Court will ask the parties for their views on this approach and also for an estimate of how much time likely will be required for a mediation.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 25, 2019

Hearing Room 6C

9:00 AM

CONT... Michael Younessi

Chapter 11

Debtor(s):

Michael Younessi

Represented By
Michael Jones
Sara Tidd

Defendant(s):

Michael Younessi

Pro Se

Plaintiff(s):

Diamond Enterprises, Ltd, LP

Represented By
M Douglas Flahaut

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 25, 2019

Hearing Room 6C

9:00 AM

8:18-11759 Chester Davenport

Chapter 7

Adv#: 8:18-01208 Eastwest Partners Investment, LLC v. Davenport

#5.00

Hearing RE: Plaintiff's Motion For Default Judgment Under LBR 7055-1
(Motion filed 8/23/19)
(Amended Motion filed 8/26/19)

Docket 44

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will deny the motion without prejudice. Movant has failed to attach (1) the required copy of the completed summons (showing good service not only of the summons but also of the complaint, FRCP 4(c)(1), FRBP 7004(a)(1); and (2) proof that defendant is not in military service.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Chester Davenport Pro Se

Defendant(s):

Chester Davenport Pro Se

Plaintiff(s):

Eastwest Partners Investment, LLC Represented By
Stella A Havkin

Trustee(s):

Karen S Naylor (TR) Represented By
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 25, 2019

Hearing Room 6C

9:00 AM

8:18-11792 Modern VideoFilm, Inc.

Chapter 11

#6.00

Hearing RE: Motion Of Medley Capital Corporation, As Agent, For Entry Of An Order Converting The Debtor's Chapter 11 Case To A Chapter 7 Case (Motion filed 8/8/19)
(Set per Order Entered 8-27-19)

Docket 196

Tentative Ruling:

APPEARANCES REQUIRED.

Medley Capital Corporation, as Agent, moves for entry of an order converting this chapter 11 case to chapter 7 (the "Motion").

Debtor and debtor in possession Modern VideoFilm, Inc. ("MVF") opposes the Motion.

Background Facts

Modern Videofilm, Inc., chapter 11 debtor and debtor in possession herein ("MVF"), was founded in 1980 by Moshe Barkat ("Mr. Barkat"). Mr. Barkat served as MVF's chief executive officer for over 30 years. MVF is a post-production, distribution and content management company in the TV and filmed entertainment business. MVF has provided creative services for, or otherwise worked on, some of the most renowned and famous TV shows and movies over the past decades, including *Game of Thrones*, *Friends*, *Madame Secretary*, *Star Trek*, *Desperate Housewives*, *Sons of Anarchy*, *Charlies Angels*, *Malcom in the Middle*, *Home Improvement*, *Avatar*, *Life of Pi*, *Star Wars*, *Gran Torino* and *Slumdog Millionaire*.

In 2012, Mr. Barkat searched for a lender who could enable MVF to pay off its existing debt and support its expansion. Medley Capital Corporation ("Medley") expressed interest, and following negotiations Medley loaned \$50 million to MVF. MVF's corporate parent, Modern Videofilm Holdings, Inc. ("Holdings") guaranteed

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
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Hearing Room 6C

9:00 AM

CONT... Modern VideoFilm, Inc.

Chapter 11

the loan and pledged all MVF's shares. Holdings has presented evidence that MVF had a value of over \$136 million at this point in time.

In 2013, Mr. Barkat negotiated a transaction with Technicolor USA ("Technicolor") in which MVF and Technicolor would form a joint venture by combining their content management divisions. Mr. Barkat alleges that the financials of the deal were highly favorable to MVF and that the projections showed the joint venture producing \$96 million per year in revenue and over \$20 million in cash in the first year. Holdings has presented evidence that MVF would have had a value of \$163.6 million if the joint venture had been completed.

Mr. Barkat alleges that Medley interjected itself into the negotiations and demanded 70 percent of MVF's equity as a condition to allowing the JV to close. According to Mr. Barkat, Technicolor became frustrated with Medley's demands and walked away from the transaction. Medley then took control of MVF, demoted Mr. Barkat, appointed a puppet director and several months later (in September 2014) completely terminated Mr. Barkat.

Mr. Barkat alleges that there was an exodus of MVF's employees and clients after he was terminated, leading to a significant decline in MVF's revenues. Holdings has presented evidence that Mr. Barkat's termination destroyed the value of MVF. In 2015, Medley sold MVF's remaining assets in a fire sale to Point.360. Point.360 later commenced its own bankruptcy proceeding.

Holdings brought a shareholder's derivative action in state court against Medley and other defendants in August 2016, alleging fraud, breach of fiduciary duty, breach of the implied covenant of good faith and fair dealing, interference with prospective economic advantage and other causes of action and seeking \$100 million in damages. This action was later consolidated with earlier action filed in state court by Mr. Barkat and Holdings directly against Medley and other defendants.

On April 11, 2018, the state court found there was evidence Medley had engaged in fraud and breaches of fiduciary duty and denied Medley's motion for summary

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 25, 2019

Hearing Room 6C

9:00 AM

CONT... Modern VideoFilm, Inc.

Chapter 11

judgment: "Plaintiff has presented evidence that Medley talked Barkat into signing the forbearance agreement with promises to allow him to keep control of MVF, that Defendants did not disclose that they had already decided to take over MVF and fire Barkat, that Defendants represented to Barkat that they would not take over MVF if he signed the release." Superior Court Order Denying Medley Defendants Motion for Summary Judgment or Summary Adjudication, dated April 11, 2018 at pages 10-11 of 21.

Trial in the state court action was set for June 12, 2018. On May 7, 2018, Medley filed an emergency petition for a writ of mandate requesting the California Court of Appeal to direct the Superior Court to vacate its summary judgment ruling, arguing that Medley would suffer irreparable harm if forced to stand trial on claims in excess of \$150 million. The California Court of Appeal summarily denied Medley's petition on May 16, 2018.

About three hours after this summary denial, MVF filed a bankruptcy petition under chapter 11. Following the filing, MVF's counsel wrote a letter to Mr. Barkat's counsel asserting that the state court action was an asset of MVF's bankruptcy estate.

Medley presents a starkly different narrative of these events. According to Medley, Mr. Barkat materially misrepresented the viability of MVF's existing and anticipated business model when he was negotiating with Medley for the \$50 million loan Medley eventually extended to MVF. Medley also alleges that Mr. Barkat looted MVF and eventually ran MVF into the ground with multiple turnaround plans that never worked. Thus, according to Medley, MVF possesses substantial breach of fiduciary duty claims and various tort claims against Mr. Barkat.

After MVF filed bankruptcy, MVF essentially was put to a choice: would it throw in its lot with Mr. Barkat and Holdings against Medley, or would it side with Medley with respect to claims against Mr. Barkat and Holdings? Ultimately, exercising its business judgment, MVF determined that it could maximize the value of the bankruptcy estate for the benefit of its creditors by throwing in its lot with Mr. Barkat and Holdings. MVF entered into negotiations with Mr. Barkat and Holdings, and

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 25, 2019

Hearing Room 6C

9:00 AM

CONT... Modern VideoFilm, Inc.

Chapter 11

those negotiations eventually culminated in a stipulation addressing the prosecution of claims against Medley in state court and the division of monetary recoveries with respect to such claims.

On August 19, 2019, this Court held a hearing on a motion filed by MVF and the Barkat Parties asking the Court to approve such stipulation and to give the Barkat Parties relief from the automatic stay to pursue actions against Medley in state court. The Court granted the motion and approved the stipulation.

The Motion

Medley argues in the Motion that there is cause to convert this case to chapter 7 pursuant to 11 U.S.C. § 1112(b) because MVF has no operations, no support for a chapter 11 plan from Medley and because there are mounting administrative claims. Further, Medley contends that MVF "cannot and will not be able to formulate a chapter 11 plan that is in the best interest of creditors, is feasible, or is in any way superior to a chapter 7 liquidation."

Later in the Motion, Medley advances other grounds for conversion to chapter 7. Medley urges the Court to determine that cause to convert exists under 11 U.S.C. § 1112(b)(4)(A) because there has been continuing and substantial losses to the MVF estate and there is no reasonable likelihood of rehabilitation. As between dismissal or conversion, Medley believes conversion to chapter 7 is a better alternative than dismissal in terms of the best interests of creditors "because it will preserve an independent party's ability to review the chapter 5 [of the Bankruptcy Code] causes of action, whatever value those may be and will allow for a fresh look by a chapter 7 trustee in determining how best to liquidate MVF's bankruptcy estate.

Analysis

Medley, as movant, has the burden of proof by a preponderance of the evidence in establishing the existence of "cause" to convert this case from chapter 11 to chapter 7. *In re Corona Care Convalescent Corp.*, 527 B.R. 379 (Bankr. C.D. Cal. 2015); *In re Pittsfield Weaving Co.*, 393 B.R. 271, 274 (Bankr. D.N.H. 2008). One ground for

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

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9:00 AM

CONT... Modern VideoFilm, Inc.

Chapter 11

cause is sufficient, standing alone, to warrant dismissal or conversion of a chapter 11 case. *In re Reagan*, 403 B.R. 614 (B.A.P. 8th Cir. 2009), *aff'd*, 374 Fed. Appx. 683 (8th Cir. 2010). A bankruptcy court has broad discretion to dismiss a chapter 11 case or to convert it to chapter 7. *In re Silberkraus*, 253 B.R. 890 (Bankr. C.D. Cal. 2000), *subsequently aff'd*, 336 F.3d 864 (9th Cir. 2003).

1. Is There "Cause" to Convert Under 11 U.S.C. § 1112(b)(4)(A) Because of Substantial or Continuing Loss to or Diminution of the Estate and the Absence of a Reasonable Likelihood of Rehabilitation?

The stipulation referenced above among MVF, Mr. Barkat and Holdings envisions that Mr. Barkat and Holdings will prosecute state court causes of action against Medley at no cost to MVF, with any monetary recoveries against Medley being shared as provided in the stipulation. As discussed earlier, the Court approved the stipulation and granted relief from the automatic stay to Mr. Barkat and Holdings to prosecute these claims in state court. Apart from these causes of action against Medley, MVF has very little in the way of assets and its prospects for successful rehabilitation will hinge solely on the outcome of such state court litigation.

The state court litigation will take time, and during that time MVF will continue to owe fees to the Office of the United States Trustee and accrue fees and expenses to its own counsel. It would seem, therefore, that during this period there will be a "continuing" loss to the estate and a continuing "diminution of the estate" under the cash method of accounting (and probably under an accrual method of accounting as well because it is highly doubtful the all events test for accrual of income with respect to the litigation could be satisfied prior to an MVF-favorable jury verdict or settlement).

Is there also an "absence of a reasonable likelihood of rehabilitation" within the meaning of 11 U.S.C. § 1112(b)(4)(A)? Medley has the burden of proving the absence of a reasonable likelihood of rehabilitation by a preponderance of the evidence, and it has failed to do so. The likelihood of rehabilitation depends upon the prospect of success in state court litigation against Medley. The state court has

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Santa Ana
Judge Mark Wallace, Presiding
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CONT... **Modern VideoFilm, Inc.**

Chapter 11

already denied Medley's motion for summary judgment in that action, finding evidence Medley had engaged in fraud and breaches of fiduciary duty: "Plaintiff has presented evidence that Medley talked Barkat into signing the forbearance agreement with promises to allow him to keep control of MVF, that Defendants did not disclose that they had already decided to take over MVF and fire Barkat, that Defendants represented to Barkat that they would not take over MVF if he signed the release." Superior Court Order Denying Medley Defendants Motion for Summary Judgment or Summary Adjudication, dated April 11, 2018 at pages 10-11 of 21.

While these state court findings in no way guarantee that Mr. Barkat and Holdings will ultimately prevail in the state court action, they go a long way in refuting Medley's contention in the Motion that MVF has "little or no prospects for cash" and that its "potential recovery is highly speculative at best." Medley's insistent and repeated argument that all claims against Medley have already been released is a matter for the state court to determine. If this argument was made in connection with Medley's motion for summary judgment in state court, it is clear it was not strong enough to win summary judgment in Medley's favor.

2. Is "Rehabilitation" Precluded Because MVF's Objective in this Case is the Confirmation of a Liquidating Chapter 11 Plan?

Medley argues that, as a matter of law, a chapter 11 liquidation does not equate to "rehabilitation" of a debtor as contemplated by chapter 11. Medley cites *In re ABEPP Acquisition Corp.*, 191 B.R. 365, 368 (Bankr. N.D. Ohio 1996) as support for this proposition.

MVF cites contrary authority on this point. *In re McTiernan*, 519 B.R. 860 (Bankr. D. Wyo. 2014); *In re R&S St. Rose Lenders, LLC*, 2016 WL 3536533 (Bankr. D. Nev. 2016). In *McTiernan*, the bankruptcy court wrote: "In determining whether the debtor can rehabilitate, the court does not find that an interpretation of "rehabilitation" precludes liquidation under a chapter 11 bankruptcy case."

Neither Medley nor MVF has cited any controlling authority on this point from the

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
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Wednesday, September 25, 2019

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9:00 AM

CONT... **Modern VideoFilm, Inc.**

Chapter 11

United States Court of Appeals for the Ninth Circuit or any authority from the Bankruptcy Appellate Panel of the Ninth Circuit.

If Medley's view of the law is correct, the consequence would be that any single unhappy creditor in a chapter 11 case could scuttle all efforts to confirm a liquidating chapter 11 plan and force conversion to chapter 7 in a situation where the chapter 11 debtor was incurring a continuing loss or diminution of the estate. In other words, money-losing debtors could not remain in chapter 11 long enough to confirm a liquidating plan over the objection of even a single creditor – even though (hypothetically) everyone else in the case strongly believed it made far more sense to have the debtor in charge of the liquidation than a chapter 7 trustee.

A somewhat less extreme interpretation of Medley's argument is that the consequences outlined in the preceding paragraph would apply unless the bankruptcy court, in the exercise of its discretion, determined that creditor constituencies would receive greater benefit if a liquidating plan were to be confirmed than if the case was converted to chapter 7.

The Court concludes it will side with the *McTiernan* line of cases in holding that "rehabilitation" can encompass a chapter 11 liquidating plan at least in situations where the bankruptcy court, exercising its discretion, determines that a chapter 11 liquidation makes more sense than a chapter 7 liquidation. Such is the case here. MVF and its chapter 11 counsel are already intensively familiar with the case and MVF's alternatives and options. If the case is converted to chapter 7, a chapter 7 trustee likely would find it necessary to retain new counsel and duplicate at least some of the research and analysis already performed by MVF and its existing counsel – all at the cost to creditors. There is no guarantee that a chapter 7 trustee would make any different or better decisions than those already made by MVF and its existing counsel. This is not a case where it is clear to the Court that existing debtor management and its counsel are incompetent or in breach of their fiduciary duties to the bankruptcy estate.

For these very same reasons, the Court rejects Medley's argument that a conversion to

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
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CONT... Modern VideoFilm, Inc.

Chapter 11

chapter 7 would be in the best interest of creditors.

To be sure, the Court's interpretation of "rehabilitation" flies in the face of the ordinary usage, dictionary-definition meaning of the word. Webster's Ninth New Collegiate Dictionary (provided to the Court and stamped "Property of the U.S. Government") defines "rehabilitate" as "to restore to a former capacity," "to restore to a former state." Interpreted literally, a retail company with 100 store locations who entered chapter 11 bankruptcy and restructured into a retailer with 40 store locations would not fit the definition of a rehabilitated retail company because it had not been restored to its former state or capacity. If such dictionary definition were adopted and applied by bankruptcy courts in connection with section 1112(b), it effectively would make it very difficult or impossible for most debtors to remain in chapter 11 unless they happened to be operating in chapter 11 at a profit – a *rara avis* indeed. The Court is very reluctant to depart from the plain meaning rule, but this would appear to be one instance where such approach is necessary.

3. Will MVF Be Able to Formulate a Chapter 11 Plan That is Feasible, in the Best Interest of Creditors and Superior to a Chapter 7 Liquidation?

MVF's opposition shows that MVF is likely to be able to confirm a chapter 11 plan of liquidation. 11 U.S.C. § 1129(a)(9)(A) requires administrative claims to be paid in cash in full on the plan's effective date unless the holders of such claims have agreed to different treatment. Here, such an agreement is in place: MVF's counsel and MVF's officer have agreed to defer payment of their claims until proceeds become available to MVF to pay their claims.

11 U.S.C. § 1129(a)(11) requires as a precondition of plan confirmation that "[c]onfirmation of the plan is not likely to be followed by the liquidation . . . of the debtor . . ." Even a planned liquidation must be feasible in order for a plan to be confirmed. *In re American Capital Equipment, LLC*, 688 F.3d 145 (3d Cir. 2012). Medley has failed to make a sufficient showing that MVF's liquidating plan is not feasible. Feasibility generally is a low bar for liquidating plans, and Medley has not provided the Court with any compelling reasons to believe that MVF will not be able

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
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Wednesday, September 25, 2019

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9:00 AM

CONT... Modern VideoFilm, Inc.

Chapter 11

to perform the tasks and obligations required under the liquidating plan that it filed.

Medley argues that the best interest of creditors requirement of 11 U.S.C. § 1129(a)(7) cannot be satisfied in this case. Medley has presented little or no evidence that would lead the Court to believe this is the case. In fact, as discussed earlier, there is every reason to suppose that a conversion to chapter 7 would end up reducing distributions to creditors below the amount they would receive if MVF's liquidating plan is confirmed. In fulfillment of statutory duties a chapter 7 trustee likely would be required to duplicate at least some of the research and analysis already performed by MVF and its counsel. Added to that cost would be the chapter 7 trustee's fees and expenses. Medley's argument fails.

Conclusion

For the reasons stated above, the Motion is denied with prejudice.

Party Information

Debtor(s):

Modern VideoFilm, Inc.

Represented By
Garrick A Hollander
Andrew B Levin
Peter W Lianides

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 25, 2019

Hearing Room 6C

9:00 AM

8:18-11792 Modern VideoFilm, Inc.

Chapter 11

#6.10

CONT'D Motion for relief from stay [Personal Property]

Medley Capital Corporation, In Its Capacity As Agent And Lender vs. DEBTOR
(Motion filed 8/9/19)

**[RE: Various Assets Of The Debtor Pledged As Collateral To The Movant,
As Agent, Including Commercial Tort Claims]**

FR: 9-9-19

Docket 195

Tentative Ruling:

APPEARANCES REQUIRED.

Medley Capital Corporation in its capacity as Agent and Lender ("Medley") moves pursuant to 11 U.S.C. § 362(d)(1) and (2) for relief from the automatic stay (the "Motion") with respect to the following property: "Various assets of the Debtor pledged as collateral to the Movant, as agent, including Commercial Tort Claims."

The Motion is opposed by chapter 11 debtor and debtor in possession Modern VideoFilm, Inc. ("MVF"). MVF argues, among other things, that the Motion provides only a vague description of the collateral.

The Court agrees with MVF. In order for the Court to intelligently assess whether it should grant relief from the automatic stay to permit Medley to exercise its security interest in property, the Court must be provided with a specific description of the subject property. "Various assets of the Debtor pledged as collateral to the Movant . . ." is woefully vague and imprecise. Is this supposed to mean all personal property assets of the Debtor pledged as collateral to the Debtor? Or only some of such assets? If the request for relief is only as to some assets, what are the assets?

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 25, 2019

Hearing Room

6C

9:00 AM

CONT... Modern VideoFilm, Inc.

Chapter 11

Medley asserts in the Motion that the Court should grant relief from stay pursuant to 11 U.S.C. § 362(d)(1) because "Movant's interest in the Property is not protected by an adequate equity cushion." In order for the Court to determine whether there is or is not an adequate equity cushion with respect to the "Property," the Court must know what the "Property" is. The description "Various assets of the Debtor pledged as collateral to the Movant . . ." leaves the Court completely in the dark as to specifically what assets are in play and whether or not an adequate equity cushion exists with respect to those assets.

These same difficulties are presented with respect to Medley's request for relief under 11 U.S.C. § 362(d)(2). In order for the Court to determine whether MVF has equity in the "Property," the Court must know specifically what the "Property" is. "Various assets of the Debtor pledged as collateral to the Movant . . ." is fatally vague for this purpose.

Medley has the burden of proof on the issue of MVF's equity in property. 11 U.S.C. § 362(g)(1). Medley has failed to meet this burden because it has failed to specifically identify the "property" in question.

For these reasons, the Court denies the Motion with prejudice.

The Court grants MVF's request for judicial notice.

Party Information

Debtor(s):

Modern VideoFilm, Inc.

Represented By
Garrick A Hollander
Andrew B Levin
Peter W Lianides

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 25, 2019

Hearing Room 6C

9:00 AM

8:18-12427 James Russell Balsamo

Chapter 7

Adv#: 8:18-01189 Labor Commissioner, State of California v. Balsamo

#7.00

Hearing RE: Plaintiff California Labor Commissioner's Motion To Compel Defendant James Balsamo's Deposition And Request For Sanctions (Motion filed 8/30/19)

Docket 62

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will strike Mr. Balsamo's answer and enter his default.

The Court will further order that if Mr. Balsamo fails to pay the monetary sanctions of \$7,200 (imposed by the Court pursuant to its order filed and entered August 28, 2019) by September 30, 2019, such sanctions shall increase by \$250 per day until paid in full.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

James Russell Balsamo

Represented By
Joseph M Tosti

Defendant(s):

James Russell Balsamo

Pro Se

Plaintiff(s):

Labor Commissioner, State of

Represented By
Phoebe P Liu

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, September 25, 2019

Hearing Room 6C

2:00 PM

8:19-10198 Allan Eli Gindi and Carol June Gindi

Chapter 11

#1.00

Hearing RE: Approval Of Debtors' Chapter 11 Original Disclosure Statement
Describing Chapter 11 Original Plan Of Reorganization
(D.S. Filed 8/15/19)

Docket 186

***** VACATED *** REASON: CONTINUED TO NOVEMBER 5, 2019 AT
2:00 P.M. PER ORDER APPROVING STIPULATION ENTERED 9-24-19 -
DOCKET NO. [230])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Allan Eli Gindi

Represented By
Michael G Spector
Vicki L Schenum

Joint Debtor(s):

Carol June Gindi

Represented By
Michael G Spector
Vicki L Schenum
Candice Candice Bryner

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, September 26, 2019

Hearing Room 225

9:00 AM

6:16-20446 BioData Medical Laboratories, Inc.

Chapter 7

#1.00

Status Conference Hrg. on Chapter 7 Trustee's Motion filed 6/18/18 for entry of order authorizing payment of post-petition payroll taxes of the estate

(Cont. from 9/19/19)

Docket 548

*** VACATED *** REASON: Order entered 9/19/19

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

BioData Medical Laboratories, Inc.

Represented By
Robert M Yaspan
Joseph N Darweesh

Trustee(s):

Todd A. Frealy (TR)

Represented By
Eve H Karasik
Jeffrey S Kwong
Juliet Y Oh
Carmela Pagay

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, September 26, 2019

Hearing Room 225

9:00 AM

6:18-18731 Scott Shih Lee

Chapter 7

Adv#: 6:19-01104 Whitmore v. Shih Lee

#2.00

Hrg. on Plaintiff's Motion for Default Judgment Under LBR 7055-1 against Scott Shih Lee

Docket 9

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and enter default judgment denying Debtor a discharge.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Scott Shih Lee

Represented By
Ronald D Halpern

Defendant(s):

Scott Shih Lee

Pro Se

Plaintiff(s):

Robert S. Whitmore

Represented By
Tinho Mang

Trustee(s):

Robert Whitmore (TR)

Represented By
D Edward Hays
Tinho Mang

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 30, 2019

Hearing Room 6C

2:00 PM

8:19-11047 Eric Wayne Mydland

Chapter 7

#1.00

Hearing RE: Trustee's Motion For Turnover Of Property Of The Estate Or For Judgment For The Value Of The Same
(Motion filed 8/19/19)

Docket 38

***** VACATED *** REASON: CONTINUED TO OCTOBER 7, 2019 AT
2:00 P.M. PER SUA SPONTE ORDER CONTINUING HEARING
ENTERED 9-12-19 - (DOCKET NO. [45])**

Party Information

Debtor(s):

Eric Wayne Mydland

Represented By
Bryant C MacDonald

Trustee(s):

Richard A Marshack (TR)

Represented By
Anerio V Altman

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 30, 2019

Hearing Room 6C

2:00 PM

8:19-11772 Laura Martinez

Chapter 7

#2.00

Hearing RE: Motion To Dismiss Chapter 7 Case
(Motion filed 8/1/19)

Docket 13

***** VACATED *** REASON: CONTINUED TO OCTOBER 7, 2019 AT
2:00 P.M. PER SUA SPONTE ORDER CONTINUING HEARING
ENTERED 9-12-19 (DOCKET NO. [21]**

Party Information

Debtor(s):

Laura Martinez

Represented By
David R Chase

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, September 30, 2019

Hearing Room 6C

2:00 PM

8:18-10607 Nicole Clarisa Sadler

Chapter 7

#3.00

Hearing RE: Motion To Reconsider Order Approving Chapter 7 Trustee's Motion For Order: Authorizing To Sell Real Estate Property (1818 E. Crescent View Drive, Sandy, UT 84092) Free And Clear Of Liens And Disputed, Potential Interest Held By Mr. Cluff; (2) Approving Overbid Procedures; (3) Approving Compensation Of Real Estate Broker; (4) Authorizing Distribution Of Sale Proceeds; And Waiving 14 Day Stay Imposed By Federal Rules Of Bankruptcy Procedure
(Motion filed 8/30/19)

Docket 125

***** VACATED *** REASON: CONTINUED TO OCTOBER 7, 2019 AT
2:00 P.M. PER SUA SPONTE ORDER CONTINUING HEARING
ENTERED 9-12-19 - (DOCKET NO. [136])**

Party Information

Debtor(s):

Nicole Clarisa Sadler

Pro Se

Trustee(s):

Thomas H Casey (TR)

Represented By
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 3, 2019

Hearing Room 225

9:00 AM

6:17-20442 Timothy David Murphy

Chapter 7

Adv#: 6:18-01218 Wells Fargo Bank, N.A. v. Murphy et al

#1.00

PRE-TRIAL CONFERENCE re: Complaint in Interpleader

Docket 1

***** VACATED *** REASON: Cont. to 2/13/20 @ 9:00 am**

Party Information

Debtor(s):

Timothy David Murphy Pro Se

Defendant(s):

Timothy David Murphy Pro Se

Lynda T. Bui Pro Se

Patrick Keith Lafferty Pro Se

Mary Jane Lafferty Pro Se

Plaintiff(s):

Wells Fargo Bank, N.A. Represented By
Bernard J Kornberg
Donald H Cram III
Jan T. Chilton

Trustee(s):

Lynda T. Bui (TR) Represented By
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, October 7, 2019

Hearing Room 6C

9:00 AM

8:18-14535 Kirolous A. Awad and Maria Awad

Chapter 13

#1.00

CONT'D Motion for relief from stay [Real Property]

Lakeview Loan Servicing, LLC vs. DEBTORS
(Motion filed 8/18/19)

[RE: 4 Cecil Pasture Road, Ladera Ranch, CA 92694-0600]

FR: 9-9-19

Docket 41

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will approve the stipulation resolving this motion by an APA.

Party Information

Debtor(s):

Kirolous A. Awad

Represented By
Tina H Trinh

Joint Debtor(s):

Maria Awad

Represented By
Tina H Trinh

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, October 7, 2019

Hearing Room 6C

9:00 AM

8:19-12688 Jaime Tapia

Chapter 7

#2.00

Motion for relief from stay [Personal Property]

SchoolsFirst Federal Credit Union vs. DEBTOR
(Motion filed 9/13/19)

[RE: 2008 Ford F-150 - VIN No.: 1FTPW12538KB56058]

Docket 16

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Jaime Tapia

Pro Se

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, October 7, 2019

Hearing Room 6C

2:00 PM

8:17-11749 Dean Lavar Corbin and Lianne Corbin

Chapter 11

#1.00

Hearing RE: Final Application For Allowance Of Professional Fees And Costs
For The Period From December 31, 2017 Through April 24, 2018
(Application filed 9/10/19)

**[RE: M. JONES & ASSOCIATES - Attorneys For Debtors]
[Fees: \$25,045.00; Expenses: \$0.00]**

Docket 252

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant and allow on a final basis:

Attorney's fees: \$80,842.50

Attorney's expenses: \$1,955.00

Previously approved interim fees are now allowed on a final basis.

APPLICANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Dean Lavar Corbin

Represented By
Michael Jones
Sara Tidd

Joint Debtor(s):

Lianne Corbin

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, October 7, 2019

Hearing Room 6C

2:00 PM

8:18-10607 Nicole Clarisa Sadler

Chapter 7

#2.00

Hearing RE: Debtor's Motion To Convert Case Under 11 U.S.C. Sections 706(a) Or 1112(a)
(Motion filed 8/30/19)

Docket 123

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will deny the motion for the reasons argued by the Trustee in his opposition to the motion to convert.

The Court will sustain the Trustee's evidentiary objections.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Nicole Clarisa Sadler

Pro Se

Trustee(s):

Thomas H Casey (TR)

Represented By
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, October 7, 2019

Hearing Room 6C

2:00 PM

8:18-10607 Nicole Clarisa Sadler

Chapter 7

#3.00

CONT'D Hearing RE: Motion To Reconsider Order Approving Chapter 7 Trustee's Motion For Order: Authorizing To Sell Real Estate Property (1818 E. Crescent View Drive, Sandy, UT 84092) Free And Clear Of Liens And Disputed, Potential Interest Held By Mr. Cluff; (2) Approving Overbid Procedures; (3) Approving Compensation Of Real Estate Broker; (4) Authorizing Distribution Of Sale Proceeds; And Waiving 14 Day Stay Imposed By Federal Rules Of Bankruptcy Procedure (Motion filed 8/30/19)

FR: 9-12-19; 9-30-19

Docket 125

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will deny the motion. It is moot in view of the sale of the subject property by the Trustee on September 4, 2019, as evidenced by the Trustee's opposition to the motion and Report of Sale Pursuant to Federal Rule of Bankruptcy Procedure 6004(f) (1), filed September 18, 2019.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Nicole Clarisa Sadler

Pro Se

Trustee(s):

Thomas H Casey (TR)

Represented By
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, October 7, 2019

Hearing Room 6C

2:00 PM

8:19-11047 Eric Wayne Mydland

Chapter 7

#4.00

CONT'D Hearing RE: Trustee's Motion For Turnover Of Property Of The Estate Or For Judgment For The Value Of The Same
(Motion filed 8/19/19)

FR: 9-30-19

Docket 38

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion. Debtor shall turn over \$63,537 to the Trustee on or before October 17, 2019.

TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Eric Wayne Mydland

Represented By
Bryant C MacDonald

Trustee(s):

Richard A Marshack (TR)

Represented By
Anerio V Altman

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, October 7, 2019

Hearing Room 6C

2:00 PM

8:19-11218 US Direct LLC

Chapter 7

#5.00

Hearing RE: Chapter 7 Trustee's Motion For Order (1) Designating Brian Hauck And Derek Doherty As The "Debtor" Pursuant To Federal Rule Of Bankruptcy Procedure 9001(5); And (2) Directing The Debtor, Through Hauck And Doherty, To Cooperate With The Trustee Pursuant To 11 U.S.C. Sections 341, 343, And 521
(Motion filed 9/5/19)

Docket 109

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into the adequacy of service on Messrs. Hauck and Doherty. Are the addresses on the Proof of Service good addresses for these individuals?

The Court will grant the motion if service is adequate.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

US Direct LLC

Represented By
Donald W Sieveke

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Roye Zur

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, October 7, 2019

Hearing Room 6C

2:00 PM

8:19-11772 Laura Martinez

Chapter 7

#6.00

CONT'D Hearing RE: Motion To Dismiss Chapter 7 Case
(Motion filed 8/1/19)

FR: 9-30-19

Docket 13

***** VACATED *** REASON: OFF CALENDAR - ORDER APPROVING
STIPULATION DISMISSING CASE ENTERED 10-7-19 - (DOCKET NO.
[28])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Laura Martinez

Represented By
David R Chase

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, October 7, 2019

Hearing Room 6C

2:00 PM

8:19-12375 South Coast Behavioral Health, Inc.

Chapter 11

#7.00

Hearing RE: Debtor's Motion For Extension Of Exclusive Periods Within Which The Debtor May File A Plan Of Reorganization And Solicit Acceptances (Motion filed 9/12/19)

[Tele. appr., Michael N. Nicastro, repr., South Coast Behavioral Health, Inc.]

Docket 297

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

South Coast Behavioral Health, Inc.

Represented By
Michael N Nicastro
Sean A OKeefe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 9, 2019

Hearing Room 6C

9:00 AM

8:18-10203 Phillip Barry Greer

Chapter 7

Adv#: 8:18-01075 Street v. Greer et al

#1.10

CONT'D STATUS CONFERENCE Hearing RE: First Amended Complaint For:

- (1) Determination Of Non-Dischargeability Of Debt;
- (2) Determination Of Non-Dischargeability Of Debt;
- (3) Determination Of Non-Dischargeability Of Debt;
- (4) Declaratory Relief RE: Determination Of Validity, Priority Or Extent Of Interest In Real Property and Personal Property
(Complaint filed 4/26/18) (First Amended Complaint filed 5/30/18)
(Another Summons Issued 5/31/18)

[10-10-18 - Arlene Greer aka Arlene Biden ONLY dismissed -docket no. [47]
(S/C set per Order Entered 10/7/19)

FR: 7-25-18; 8-29-18; 10-24-18; 11-14-18

Docket 8

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire of the parties how to proceed in view of the Court's decision to grant the motion to dismiss the First Amended Complaint with leave to amend.

Party Information

Debtor(s):

Phillip Barry Greer	Pro Se
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Defendant(s):

Phillip Barry Greer	Pro Se
Arlene C. Greer	Pro Se

Plaintiff(s):

Chriss W. Street	Represented By Timothy C Aires
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 9, 2019

Hearing Room 6C

9:00 AM

CONT... Phillip Barry Greer

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Represented By
James C Bastian Jr

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 9, 2019

Hearing Room 6C

9:00 AM

8:18-10203 Phillip Barry Greer

Chapter 7

Adv#: 8:18-01075 Street v. Greer et al

#1.00

CONT'D Hearing RE: Motion To Dismiss Chriss Street's First Amended Complaint (FRCP 12(b)(6)
(Motion Filed 8/28/18)
(Reset at hearing held 8/21/19)

FR: 8-28-18

Docket 39

Tentative Ruling:

APPEARANCES REQUIRED.

Federal Rule of Civil Procedure 8(a)(2), incorporated by Federal Rule of Bankruptcy Procedure 7008 with a few additions (discussed below), requires a complaint to contain "a short and plain statement of the claim showing that the pleader is entitled to relief." Generally speaking, one of the purposes of an adversary proceeding complaint is to put the defendant, the Court and the public (because bankruptcy court proceedings are public in nature) on notice as to the nature of the claim for relief and the alleged facts supporting such claim.

Measured by this standard, large swaths of the First Amended Complaint (Docket No. 8, filed May 30, 2018, the "FAC") are materially deficient and must be corrected through the filing of a second amended complaint before this matter can proceed.

The principal difficulty is the FAC's inordinately large reliance on incorporation by reference. The FAC incorporates by reference each and every allegation in the state court complaint in *Street v. Greer*, No. 30-2011-00512573 but then fails to attach a copy of such complaint as an exhibit. But this problem is not solved by simply attaching a copy of the complaint as an exhibit to a second amended complaint. It is common for complaints to state multiple causes of action. During the course of the

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 9, 2019

Hearing Room 6C

9:00 AM

CONT...

Phillip Barry Greer

Chapter 7

litigation, it is also common for some causes of action to be dismissed, not ultimately pursued by the plaintiff or to be determined against the plaintiff through summary judgment. Mr. Greer undoubtedly is more familiar with the state court action than is this Court and probably knows what causes of action were actually tried and went to verdict, but this Court, after reading the FAC, remains woefully in the dark as to what was alleged and what actually transpired in the state court. This is a matter of critical importance because it would strongly appear that plaintiff Chris Street intends to argue issue preclusion with respect to the state court jury verdict.

The Court grants the motion to dismiss the first three claims for relief in the FAC with leave to plaintiff Chris Street to amend through a second amended complaint. The second amended complaint should at a minimum affirmatively describe the events leading to the filing of the state court complaint, summarize the litigation before the state court, indicate what causes of action went to trial and what causes of action were resolved by the jury verdict. This will enable the Court to understand the nature of the indebtedness that is alleged to be excepted from discharge pursuant to 11 U.S.C. § 523. The Court encourages Mr. Street to attach the state court complaint as an exhibit to a second amended complaint but to refrain from using wholesale incorporation by reference as a substitute for the matters addressed in the second sentence of this paragraph.

Plaintiff Street should also re-evaluate whether he wishes to pursue a claim for relief under 11 U.S.C. § 523(a)(4). There is solid authority that an (a)(4) claim for relief requires more than a breach of fiduciary duty, it requires a breach of fiduciary duty with respect to an express trust. Hypothetically, if an attorney were to steal money from a client trust account, that would be the basis for a good cause of action under (a)(4), but if he or she scrupulously honored the trust account but committed malpractice in some other fashion, it would be at least questionable whether there existed a good (a)(4) cause of action (because there would seem to be no fraud or defalcation while acting in a fiduciary capacity with respect to an express trust).

The FAC's fourth cause of action seeks a declaratory judgment that the whole of the property at 19 Bridgeport Road, Newport Beach, California (the "Real Property") is

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 9, 2019

Hearing Room 6C

9:00 AM

CONT... Phillip Barry Greer

Chapter 7

subject to plaintiff's judgment lien. This is based on plaintiff's allegation that the use of community funds to pay down principal debt on the Real Property (and a proportionate share of the Real Property's market appreciation) transformed the entirety of the Real Property into community property. Notably, the FAC does not allege that the conveyance of the Real Property nearly two decades ago from Mr. Greer to Ms. Biden as her separate property was a fraudulent transfer.

The problem with the fourth cause of action is not so much legal substance or legal technicalities as it is simple mathematics. If the Real Property had some net fair market value (i.e., gross fair market value less the amount of deeds of trust and other encumbrances) greater than zero at the time it was conveyed to Ms. Biden, it would be mathematically impossible for the entirety of the Real Property to be community property even if plaintiff is correct that the use of community funds to pay down debt (plus proportional market appreciation) transforms a part of the Real Property into community property. Perhaps Mr. Street wishes to allege that the Real Property was "under water" at the time of its conveyance to Ms. Biden, but if that is the case it should be spelled out in a second amended complaint.

As to the personal property of Mr. Greer though in Ms. Greer's name, possession or control – which is alleged to be subject to Mr. Street's ORAP lien – the FAC should have specifically described at least some of the assets alleged to fall within this category. If Mr. Street cannot specifically identify at least some assets, then his allegation that he is "informed and believes" assets of this category actually exist would seem to be obviously false.

The Court notes that Federal Rule of Bankruptcy Procedure 7008 requires a complaint to "contain a statement that the pleader does or does not consent to entry of final orders or judgment by the bankruptcy court." The FAC does not appear to contain such a statement, leading the Court to bring this provision of the rules to Mr. Street's attention.

For these reasons, the Court dismisses the entirety of the First Amended Complaint with leave to amend.

DEFENDANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 9, 2019

Hearing Room 6C

9:00 AM

CONT... Phillip Barry Greer

Chapter 7

Party Information

Debtor(s):

Phillip Barry Greer Pro Se

Defendant(s):

Phillip Barry Greer Pro Se

Arlene C. Greer Represented By
Phillip Greer

Richard A. Marshack Represented By
Ryan D ODea

Plaintiff(s):

Chriss W. Street Represented By
Timothy C Aires

Trustee(s):

Richard A Marshack (TR) Represented By
James C Bastian Jr
Ryan D ODea

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 9, 2019

Hearing Room 6C

9:00 AM

8:19-10212 Hill Concrete Structures

Chapter 11

Adv#: 8:19-01144 Hill Concrete Structures et al v. Capital One Bank (USA), N.A.

#2.00

STATUS CONFERENCE Hearing RE: Complaint For Injunction Relief And
Declaratory Relief
(Complaint filed 7/11/19)

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire whether Debtor will be applying to the Clerk for entry of
defendant's default.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Hill Concrete Structures

Represented By
Michael Jones
Sara Tidd

Defendant(s):

Capital One Bank (USA), N.A.

Pro Se

Plaintiff(s):

Hill Concrete Structures

Represented By
Michael Jones

James Hill

Represented By
Michael Jones

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 9, 2019

Hearing Room 6C

9:00 AM

8:19-10351 Lucy Ann Carmelita Rojo

Chapter 7

Adv#: 8:19-01072 Aiken v. Rojo

#3.00

CONT'D STATUS CONFERENCE Hearing RE: First Amended Complaint -
Dischargeability Of A Debt
[FRBP Rule 7001(6); 11 U.S.C Section 727(a)(4)(A)]
(Complaint filed 4/18/19)
(First Amended Complaint filed 7/24/19)
(Another Summons issued on First Amended Complaint on 7/24/19)

FR: 7-17-19; 8-21-19

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER DISMISSING
WITH PREJUDICE FIRST AMENDED COMPLAINT ENTERED 10-8-19 -
(DOCKET NO. [24])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lucy Ann Carmelita Rojo

Represented By
Jeffrey B Smith

Defendant(s):

Lucy Ann Carmelita Rojo

Pro Se

Plaintiff(s):

Jami Aiken

Represented By
Greg W Garrotto

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 9, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01213 Official Committee Of Unsecured Creditors v. United Information Services,

#4.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Avoidance And Recovery Of Preferential Transfers Pursuant To 11 U.S.C. Sections 547 And 550

(Complaint filed 10/26/17)

FR: 4-4-18; 12-12-18; 3-27-19

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER APPROVING
STIPULATION OF DISMISSAL WITH PREJUDICE ENTERED 9-25-19 -
(DOCKET NO. [25])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green
Caroline Djang
Scott D Fink
Reed M Mercado

Defendant(s):

United Information Services, Inc.

Represented By
David B Golubchik

Sourcehov LLC

Represented By
David B Golubchik

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 9, 2019

Hearing Room 6C

9:00 AM

CONT... Freedom Communications, Inc.

Chapter 11

Plaintiff(s):

Official Committee Of Unsecured

Represented By
Andrew W Caine
Jeffrey P Nolan

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 9, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01209 Official Committee Of Unsecured Creditors v. Case Paper Co., Inc.

#5.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Avoidance And Recovery Of Preferential Transfers Pursuant To 11 U.S.C. Sections 547 And 550
(Complaint filed 10/26/17)

FR: 4-4-18; 12-12-18; 3-27-19

Docket 1

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF
DISMISSAL WITH PREJUDICE FILED 8-19-19 (DOCKET NO. [16])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green
Caroline Djang
Scott D Fink
Reed M Mercado

Defendant(s):

Case Paper Co., Inc.

Pro Se

Plaintiff(s):

Official Committee Of Unsecured

Represented By
Andrew W Caine
Jeffrey P Nolan

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 9, 2019

Hearing Room 6C

2:00 PM

8:19-11938 Mark Francois St Croix

Chapter 13

#1.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 8-7-19

Docket 5

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Mark Francois St Croix

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 9, 2019

Hearing Room 6C

2:00 PM

8:19-12016 Mark J. Patterson and Ashley L. Patterson

Chapter 13

#2.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 8-7-19

Docket 37

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Mark J. Patterson

Represented By
Christine A Kingston

Joint Debtor(s):

Ashley L. Patterson

Represented By
Christine A Kingston

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 9, 2019

Hearing Room 6C

2:00 PM

8:19-12209 David Cary Elkins and Leigh Anne Elkins

Chapter 13

#3.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 8-7-19; 9-11-19

Docket 36

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

David Cary Elkins

Represented By
Gerald S Kim

Joint Debtor(s):

Leigh Anne Elkins

Represented By
Gerald S Kim

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 9, 2019

Hearing Room 6C

2:00 PM

8:19-12355 Debora Renee Huschka

Chapter 13

#4.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 8-7-19; 9-11-19

Docket 20

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Debora Renee Huschka

Represented By
Brian J Soo-Hoo

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 9, 2019

Hearing Room 6C

2:00 PM

8:19-12715 Andrea Mythanh Le

Chapter 13

#5.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 9-11-19

[Tele. appr., William J. Serritella, repr., Creditor, Providence Bank And Trust]

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Andrea Mythanh Le

Represented By
Christopher J Langley

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 9, 2019

Hearing Room 6C

2:00 PM

8:19-12783 Donald Louis Pearce

Chapter 13

#6.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 9-11-19

Docket 20

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Donald Louis Pearce

Represented By
Christopher J Langley

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 9, 2019

Hearing Room 6C

2:00 PM

8:19-12818 Jennifer Yang

Chapter 13

#7.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL ARISING FROM DEBTOR'S REQUEST FOR
VOLUNTARY DISMISSAL ENTERED 7-29-19 - (DOCKET NO. [10])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jennifer Yang

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 9, 2019

Hearing Room 6C

2:00 PM

8:19-12839 Donnie Raye Poucher

Chapter 13

#8.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL FOR FAILURE TO FILE SCHEDULES, STATEMENTS,
AND/OR PLAN ENTERED 8-12-19 - (DOCKET NO. [9])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Donnie Raye Poucher

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 9, 2019

Hearing Room 6C

3:00 PM

8:14-12280 Steven Allen Frey

Chapter 13

#1.00

CONT'D Hearing RE: Trustee's Verified Motion To Dismiss Case Due To
Material Default Of A Plan Provision
(Motion filed 11/7/18)

FR: 1-9-19; 2-6-19; 3-13-19

Docket 161

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and dismiss the case.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Steven Allen Frey

Represented By
Christopher J Langley

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 9, 2019

Hearing Room 6C

3:00 PM

8:17-13058 Monica Lin Mathers

Chapter 13

#2.00

Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding For Failure To Make Plan Payments [11 U.S.C. 1307(c)]
(Motion filed 9/4/19)
(Opposition filed 9/14/19)
(Set per Notice of Hearing filed 9/14/19)

Docket 46

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF WITHDRAWAL OF TRUSTEE'S MOTION FILED 10-8-19 - (DOCKET NO. [51])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Monica Lin Mathers

Represented By
Justin D Irish

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 9, 2019

Hearing Room 6C

3:00 PM

8:18-10245 Michael Anthony Ruffino and Brandy Bernadette Ruffino

Chapter 13

#3.00

CONT'D Hearing RE: Trustee's Verified Motion To Dismiss Case Due To Failure To Make Plan Payments (Motion filed 6/5/19) (Opposition filed 6/20/19)

FR: 8-7-19

Docket 47

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and dismiss the case.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Michael Anthony Ruffino

Represented By
Christopher J Langley

Joint Debtor(s):

Brandy Bernadette Ruffino

Represented By
Christopher J Langley

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 9, 2019

Hearing Room 6C

3:00 PM

8:18-10245 Michael Anthony Ruffino and Brandy Bernadette Ruffino

Chapter 13

#4.00

CONT'D Hearing RE: Motion Under Local Bankruptcy Rule 3015-1 (n) And (w)
To Modify Plan Or Suspend Plan Payments
(Motion filed 6/30/19)
(Set for hearing per Notice Of Hearing filed 7/1/19)

FR: 8-7-19

Docket 50

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will deny the motion based upon Debtors' failure to provide 2018 tax returns to the Chapter 13 trustee and their failure to provide an updated LBR Form 3015-1.20.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Michael Anthony Ruffino

Represented By
Christopher J Langley

Joint Debtor(s):

Brandy Bernadette Ruffino

Represented By
Christopher J Langley

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 9, 2019

Hearing Room 6C

3:00 PM

8:18-14204 Barbara Jo O'Brien

Chapter 13

#5.00

CONT'D Hearing RE: Trustee's Verified Motion To Dismiss Case Due To
Material Default Of A Plan Provision
(Motion filed 6/7/19)

FR: 8-7-19

Docket 35

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and dismiss the case.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Barbara Jo O'Brien

Represented By
Daniel King

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 9, 2019

Hearing Room 6C

3:00 PM

8:18-14648 Stephen Lawrie

Chapter 13

#6.00

Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding For Failure To Make Plan Payments [11 U.S.C. 1307(c)]
(Motion filed 8/22/19)
(Response filed 9/6/19)
(Set per Notice of Hearing filed 9/6/19)

Docket 82

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and dismiss the case.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Stephen Lawrie

Represented By
Andy C Warshaw

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 9, 2019

Hearing Room 6C

3:00 PM

8:19-11938 Mark Francois St Croix

Chapter 13

#7.00

Hearing RE: Objection To Proof Of Claim:
(Motion filed 8/23/19)

Claim No. 7-1 Global Lending Service LLC \$14,162.09

Docket 27

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will sustain the objection.

The Court will allow Claim 7-1 in the amount of \$14,162.09 and confirm that the arrearage of \$486.60 shown on the proof of claim has been paid in full.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Mark Francois St Croix Pro Se

Trustee(s):

Amrane (SA) Cohen (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 9, 2019

Hearing Room 6C

3:00 PM

8:19-12209 David Cary Elkins and Leigh Anne Elkins

Chapter 13

#8.00

Hearing RE: Debtor's Motion Objecting To Claim:
(Motion filed 9/8/19)

Claim No.: 13-1 The Toll Road \$31,565.90

[Tele. appr., Gerald S. Kim, repr., Debtor Elkins]

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

Having received the parties stipulation to resolve this motion only one day prior to this hearing, the Court may wish to inquire of counsel.

Party Information

Debtor(s):

David Cary Elkins

Represented By
Gerald S Kim

Joint Debtor(s):

Leigh Anne Elkins

Represented By
Gerald S Kim

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 10, 2019

Hearing Room 225

9:00 AM

6:16-13150 Paul Gregory Katona

Chapter 7

Adv#: 6:17-01216 Napoli v. Katona et al

#1.00

Pre-Trial Conference RE: Complaint by Royce Napoli against Paul Gregory Katona, Gail Marie Katona. (d),(e)),(72 (Injunctive relief - other))

(Cont. from 4/11/19)

Docket 1

***** VACATED *** REASON: Cont. to 2/20/20 @ 9:00 a.m. by Order signed on 9/20/19 - rj**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Paul Gregory Katona

Represented By
Douglas A Plazak

Defendant(s):

Gail Marie Katona

Represented By
Douglas A Plazak

Paul Gregory Katona

Represented By
Douglas A Plazak

Joint Debtor(s):

Gail Marie Katona

Represented By
Douglas A Plazak

Plaintiff(s):

Royce Napoli

Represented By
Noah K McCall

Trustee(s):

John P Pringle (TR)

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 10, 2019

Hearing Room 225

9:00 AM

CONT...

Paul Gregory Katona

Lynda T Bui
Rika Kido
Brianna L Frazier

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 10, 2019

Hearing Room 225

9:00 AM

6:16-14576 USA Sales, Inc.

Chapter 11

Adv#: 6:16-01302 USA Sales, Inc. v. California State Board Of Equalization et al

#2.00

STATUS CONFERENCE Re: Complaint to determin amount of taxes owed pursuant to Bankruptcy Code 505(A); Objection to claim of the California Board of Equalization

(Cont. from 5/23/19)

Docket 1

*** VACATED *** REASON: Cont. to 10/31/19 @ 9:00 a.m. - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

USA Sales, Inc.

Represented By

Daren M Schlecter

Rachel S Milman Esq

A. Lavar Taylor

Lisa Nelson

Defendant(s):

California Department of Tax and

Represented By

Lisa W Chao

California State Board Of

Represented By

Ronald N Ito

Plaintiff(s):

USA Sales, Inc.

Represented By

Lisa Nelson

A. Lavar Taylor

Daren M Schlecter

Bruce A Emard

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 10, 2019

Hearing Room 225

9:00 AM

CONT... USA Sales, Inc.

Chapter 11

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 10, 2019

Hearing Room 225

9:00 AM

6:16-14576 USA Sales, Inc.

Chapter 11

#3.00

Hrg. on Chapter 11 Status Conference on the Plan and Disclosure Statement

(Cont. from 5/23/19)

Docket 0

***** VACATED *** REASON: Cont. to 11/7/19 @ 9:00 a.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

USA Sales, Inc.

Represented By

Daren M Schlecter

Rachel S Milman Esq

A. Lavar Taylor

Lisa Nelson

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, October 15, 2019

Hearing Room 225

9:00 AM

6:19-14502 Caribou Energy Corporation

Chapter 7

#1.00

Hockensmith McKinnis Hamill, P.C. - movant attorney

Motion for Relief from Stay

Midwest Regional Bank vs. DEBTOR
(Motion filed 9/3/19)

Re: Hydro-Excavation Vacuum Trucks

**(Tele. appr. Lynda Bui, rep. Trustee, Lynda Bui)
(Tele. appr. David Goodrich, rep. trustee, Lynda Bui)
(Tele. appr. Scott McKinnis, rep. creditor, Midwest Regional Bank)
(Tele. appr. Martina Slocomb, rep. creditor, Williams and Yenser)**

Docket 51

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Caribou Energy Corporation

Pro Se

Trustee(s):

Lynda T. Bui (TR)

Represented By
David M Goodrich

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, October 15, 2019

Hearing Room 225

9:00 AM

6:19-15787 Soraya Reinoso

Chapter 7

#2.00

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

Motion for Relief from Stay

Honda Lease Trust vs. DEBTOR, Arturo Cisneros, chapter 7 trustee
(Motion filed 9/10/19)

Re: 2017 HONDA ACCORD, VIN: 1HGC R2F5 3HA0 96246

Docket 7

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Soraya Reinoso

Represented By
Daniel King

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, October 15, 2019

Hearing Room 225

9:00 AM

6:19-16224 Nestor Atilio Fabian and Ada I Fabian

Chapter 7

#3.00

Wright, Finlay & Zak, LLP - movant attorney

Motion for Relief from Stay

California Housing Finance Agency vs. DEBTOR
(Motion filed 9/12/19)

Re: 13192 Forest Meadow Lane, Victorville, CA 92395

Docket 10

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1) only.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Nestor Atilio Fabian

Represented By
Marlin Branstetter

Joint Debtor(s):

Ada I Fabian

Represented By
Marlin Branstetter

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, October 15, 2019

Hearing Room 225

9:00 AM

6:19-16367 Rachel L Degraw

Chapter 7

#4.00

Prenovost, Normandin, Bergh & Dawe - movant attorney

Motion for Relief from Stay

LBS Financial Credit Union vs. DEBTOR
(Motion filed 9/6/19)

Re: 2006 Fleetwood Bounder

Docket 13

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Rachel L Degraw

Pro Se

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, October 15, 2019

Hearing Room 225

9:00 AM

6:19-16573 Vincent Machado

Chapter 7

#5.00

Reid & Manee LLP - movant attorney

Motion for Relief from Stay

Frances Machado vs. DEBTOR
(Motion filed 9/24/19)

Re: ACTION IN NON-BANKRUPTCY FORUM RE: marital dissolution claims

(Tele. appr. Lynda Bui, rep. trustee, Lynda Bui)

Docket 12

***** VACATED *** REASON: Cont. to 11/12/19 @ 9:00 a.m. by order
signed on 10/11/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Vincent Machado

Represented By
C Scott Rudibaugh

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, October 15, 2019

Hearing Room 225

9:00 AM

6:19-17194 Tamisha Lasha McNeely-Richardson

Chapter 7

#6.00

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

Motion for Relief from Stay

Americredit Financial Services, Inc. vs. DEBTOR, Robert Whitmore, Trustee
(Motion filed 9/13/19)

Re: 2014 FIAT 500 VIN ZFBCFABH6EZ026970

Docket 10

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Tamisha Lasha McNeely-Richardson Pro Se

Trustee(s):

Robert Whitmore (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, October 15, 2019

Hearing Room 225

9:00 AM

6:19-17397 Aung Zaw Moe

Chapter 7

#7.00

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

Motion for Relief from Stay

ACAR Leasing LTD vs. DEBTOR, Larry D. Simons, trustee
(Motion filed 9/12/19)

Re: 2017 CHEVROLET CRUZE VIN 1G1BE5SM7H7231612

Docket 10

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Aung Zaw Moe

Represented By
Keith Q Nguyen

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, October 15, 2019

Hearing Room 225

9:00 AM

6:19-17478 Nicholas Michael Holt and Stacy Louise Holt

Chapter 7

#8.00

Prenovost, Normandin, Bergh & Dawe - movant attorney

Motion for relief from stay

Wescom Credit Union vs DEBTORS
(Motion filed 9/18/19)

RE: 2017 Ford Explorer VIN 1FM5K7BH6HGC09883

Docket 11

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Nicholas Michael Holt

Represented By
Nicholas Nicholas Wajda

Joint Debtor(s):

Stacy Louise Holt

Represented By
Nicholas Nicholas Wajda

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, October 15, 2019

Hearing Room 225

9:00 AM

6:19-17592 Maria Luisa Cassey

Chapter 7

#9.00

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

Motion for Relief from Stay

American Honda Finance Corporation vs. DEBTOR, Karl T. Anderson, chapter 7 trustee
(Motion filed 9/16/19)

Re: 2018 HONDA ACCORD, VIN: 1HGC V2F5 9JA0 05675

Docket 9

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Maria Luisa Cassey

Pro Se

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, October 15, 2019

Hearing Room 225

2:00 PM

6:16-17709 Kevin Howard and Sarah Sainteclair

Chapter 7

#1.00

Hrg. on trustee's final report; applications for compensation

Docket 47

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant and allow:

Trustee's fees: \$1,773.67 (including prior award)

Trustee's expenses: \$91.36 (previously approved -- no new expenses incurred)

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Kevin Howard

Represented By
Christopher Hewitt

Joint Debtor(s):

Sarah Sainteclair

Represented By
Christopher Hewitt

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, October 15, 2019

Hearing Room 225

2:00 PM

6:17-16329 Juan Manuel Pesqueda

Chapter 7

#2.00

Hrg. on chapter 7 trustee's Motion filed 9/5/19 to Allow Claim 3 of Prosper Marketplace as Late Filed Allowable Against a Surplus Only

Docket 65

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motions and sustain the objections. The Court will allow Claim Nos. 2 and 3 as late-filed claims only under 11 U.S.C. § 726(a)(3).

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Juan Manuel Pesqueda

Represented By
Gary S Saunders
Paul Y Lee

Trustee(s):

John P Pringle (TR)

Represented By
Toan B Chung

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, October 15, 2019

Hearing Room 225

2:00 PM

6:17-16329 Juan Manuel Pesqueda

Chapter 7

#3.00

Hrg. on Chapter 7 Trustee's Motion filed 9/5/19 to Allow Claim 4 of Chase Bank USA, NA as Late Filed Allowable Against a Surplus Only

Docket 67

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant the motions and sustain the objections. The Court will allow Claim Nos. 2 and 3 as late-filed claims only under 11 U.S.C. § 726(a)(3).

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Juan Manuel Pesqueda

Represented By
Gary S Saunders
Paul Y Lee

Trustee(s):

John P Pringle (TR)

Represented By
Toan B Chung

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, October 15, 2019

Hearing Room 225

2:00 PM

6:17-17512 Douglas Craig Woodard

Chapter 7

#4.00

Hrg. on chapter 7 trustee's Motion for Order to Show Cause Why Debtor Should Not be Held in Contempt and Sanctioned for Violation of Court Order

(Tele. appr. Melissa Davis Lowe, rep. trustee, Karl Anderson)

Docket 130

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will approve the parties' October 11, 2019 stipulation to continue the hearing to November 5, 2019 at 2:00 p.m.

Party Information

Debtor(s):

Douglas Craig Woodard

Pro Se

Trustee(s):

Karl T Anderson (TR)

Represented By
Leonard M Shulman
Melissa Davis Lowe

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, October 15, 2019

Hearing Room 225

2:00 PM

6:17-20442 Timothy David Murphy

Chapter 7

#5.00

Hrg. on chapter 7 trustee's Motion filed 8/21/19 for order approving compromise of controversy

(Tele. appr. Lynda Bui, rep. trustee, Lynda Bui)

Docket 144

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will order Debtor to produce the three subject vehicles for inspection at 3250 Market Street, No. 213, Riverside, CA 92501 at 10:00 a.m. on October 18, 2019, continuing through 4:00 p.m. on that date.

The Court will continue the hearing to November 12, 2019 at 2:00 p.m.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Timothy David Murphy

Represented By
Timothy D Murphy
Patricia A Mireles

Trustee(s):

Lynda T. Bui (TR)

Represented By
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, October 15, 2019

Hearing Room 225

2:00 PM

6:18-10094 Deontay Daymont Potter and Joy Shaun Potter

Chapter 11

#6.00

Hrg on Attorney for Debtor's Second and Final Application filed 9/18/19 for Allowance of Fees and Reimbursement of Costs for the Period November 12, 2018 Through September 16, 2019; and Fees and Costs for April 12, 2018 Through November 12, 2018 on a Final Basis for M. Jonathan Hayes, Debtor's Attorney, Period: 11/13/2018 to 9/16/2019, Fee: \$16,966.50, Expenses: \$0.00

[Tele. appr., M. Jonathan Hayes, repr., Debtor Potter]

Docket 214

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will approve the fee application and allow, on a final basis, fees of \$35,734.75 and expenses of \$346.85 to Resnick Hayes Moradi LLP.

APPLICANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Deontay Daymont Potter

Represented By
M. Jonathan Hayes

Joint Debtor(s):

Joy Shaun Potter

Represented By
M. Jonathan Hayes

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, October 15, 2019

Hearing Room 225

2:00 PM

6:18-15363 Mark T Martin

Chapter 7

#7.00

Hrg. on trustee's final report; applications for compensation

Docket 33

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant and allow:

Trustee's fees: \$1,750.00

Trustee's expenses: \$526.97

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Mark T Martin

Represented By
Daniel King

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, October 15, 2019

Hearing Room 225

2:00 PM

6:18-18731 Scott Shih Lee

Chapter 7

#8.00

Hrg. on Order to Show Cause as to why Debtor should not be held in contempt of court for failing to comply with Court Orders

(Cont. from: 9/24/19)

Docket 109

Tentative Ruling:

APPEARANCES REQUIRED.

Debtor Scott Shih Lee is required to personally appear at this hearing at 411 West Fourth Street, Santa Ana, CA, Courtroom 6C. He may be represented by counsel but must appear irrespective of counsel's appearance or non-appearance.

The Court will inquire whether Mr. Lee has fully complied with this Court's turnover order entered June 17, 2019 (Docket No. 101), as detailed in the Court's order entered September 26, 2019 (Docket No. 139).

Party Information

Debtor(s):

Scott Shih Lee

Represented By
Ronald D Halpern

Trustee(s):

Robert Whitmore (TR)

Represented By
D Edward Hays
Tinho Mang

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, October 15, 2019

Hearing Room 225

2:00 PM

6:18-19759 Eliseo Chum Garcia and Olga Alicia Chum Padilla

Chapter 7

#9.00

Hrg. on trustee's final report; applications for compensation

Docket 24

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant and allow:

Trustee's fees: \$1,312.63

Trustee's expenses: \$103.08

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Eliseo Chum Garcia

Represented By
Dana Travis

Joint Debtor(s):

Olga Alicia Chum Padilla

Represented By
Dana Travis

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, October 15, 2019

Hearing Room 225

2:00 PM

6:18-20158 Steven Lynn Mason and Darnelle Cheri Mason

Chapter 7

#10.00

Hrg. on chapter 7 trustee's final report; applications for compensation

(Tele. appr. Lynda Bui, rep. trustee, Lynda Bui)

Docket 0

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant and allow:

Trustee's fees: \$1,071.70

Trustee's expenses: \$0

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Steven Lynn Mason

Represented By
M. Wayne Tucker

Joint Debtor(s):

Darnelle Cheri Mason

Represented By
M. Wayne Tucker

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, October 15, 2019

Hearing Room 225

2:00 PM

6:18-20218 Bertha Ponce

Chapter 7

#11.00

Hrg. on approval of trustee's final report and applications for compensation

Docket 0

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant and allow:

Trustee's fees: \$961.00

Trustee's expenses: \$74.34

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Bertha Ponce

Represented By
Glenn Ward Calsada

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, October 15, 2019

Hearing Room 225

2:00 PM

6:19-15128 Nadia Ahmad

Chapter 7

#12.00

Hrg. on Creditor County of Los Angeles' Motion for Extension of Time to File
Objection to Discharge or Dischargeability of Specific Debts Pursuant to 11
U.S.C. Section 727 and 523

Docket 19

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Nadia Ahmad

Represented By
Dina Farhat

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Tuesday, October 15, 2019

Hearing Room 6C

2:00 PM

8:19-13904 Kathy D Gorski and Michael A Gorski

Chapter 11

#13.00

Hearing RE: Emergency Motion For Interim And Final Order Authorizing Debtor In Possession To Use Cash Collateral Under 11 U.S.C. Section 363(e) (Motino filed 10/8/19)

Docket 9

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling at this time.

Party Information

Debtor(s):

Kathy D Gorski

Represented By
Andy C Warshaw

Joint Debtor(s):

Michael A Gorski

Represented By
Andy C Warshaw

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 16, 2019

Hearing Room 6C

9:00 AM

8:15-13556 John Olaf Halvorson

Chapter 7

#1.00

CONT'D STATUS CONFERENCE Hearing RE: Motion For Order to Show Cause Pursuant to Local Bankruptcy Rule 9020-1 Why the Baeks Should Not Be Held in Contempt for Willfully Violating the Automatic Stay and Court Order and Sanctioned Pursuant to 11 U.S.C. Section 105
(Motion filed 5/29/18)
(Set per Order Entered 8-31-18)
(S/C set at hearing held 4/17/19)

FR: 10-22-18; 1-28-19; 4-17-19; 7-17-19

Docket 282

Tentative Ruling:

APPEARANCES REQUIRED.

No stay is in effect as to the main bankruptcy case (except insofar as the sanctions motions are concerned). However, the Court does not anticipate there will be much activity in the main bankruptcy case as long as the adversary proceedings remain stayed.

The status conference is continued to April 15, 2020 at 9:00 a.m. with an updated status report due April 1, 2020.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

John Olaf Halvorson

Represented By
Marc C Forsythe
Charity J Manee

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Reem J Bello

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 16, 2019

Hearing Room 6C

9:00 AM

CONT...

John Olaf Halvorson

Faye C Rasch
Jeffrey I Golden

Chapter 7

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 16, 2019

Hearing Room 6C

9:00 AM

8:15-13556 John Olaf Halvorson

Chapter 7

#1.10

STATUS CONFERENCE Hearing RE: Status Of Chapter 7 Case
(Set per Order Entered 7/31/19)

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

No stay is in effect as to the main bankruptcy case (except insofar as the sanctions motions are concerned). However, the Court does not anticipate there will be much activity in the main bankruptcy case as long as the adversary proceedings remain stayed.

The status conference is continued to April 15, 2020 at 9:00 a.m. with an updated status report due April 1, 2020.

Party Information

Debtor(s):

John Olaf Halvorson

Represented By
Marc C Forsythe
Charity J Manee

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Reem J Bello
Faye C Rasch
Jeffrey I Golden

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 16, 2019

Hearing Room 6C

9:00 AM

8:15-13556 John Olaf Halvorson

Chapter 7

Adv#: 8:15-01382 Baek 124th, LLC et al v. Halvorson et al

#2.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For
Nondischargeability Of Debt
(Complaint filed 10/2/15) (PTC set at S/C held 1/20/16)
(S/C set per Order Entered 1/11/19)

FR: 1-16-16; 1-20-16; 9-21-16; 12-21-18; 1-28-19

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will stay this adversary proceeding through March 31, 2020. The status conference is continued to April 15, 2020 at 9:00 a.m. An updated status report is due April 1, 2020.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

John Olaf Halvorson

Represented By
Marc C Forsythe
Charity J Miller

Defendant(s):

John Olaf Halvorson

Represented By
Marc C Forsythe
Charity J Miller
Corey B Tolliver

Marc C Forsythe

Represented By
Corey B Tolliver

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 16, 2019

Hearing Room 6C

9:00 AM

CONT... John Olaf Halvorson

Chapter 7

Plaintiff(s):

Baek 124th, LLC

Represented By
Christopher N Coyle
Misty A Perry Isaacson
Corey B. Tolliver

Baek 153, LLC

Represented By
Christopher N Coyle
Misty A Perry Isaacson
Corey B. Tolliver

Baek Ainsworth Property, LLC

Represented By
Christopher N Coyle
Misty A Perry Isaacson
Corey B. Tolliver

Baek Development, LLC

Represented By
Christopher N Coyle
Misty A Perry Isaacson
Corey B. Tolliver

Baek Family Partnership

Represented By
Christopher N Coyle
Misty A Perry Isaacson
Corey B. Tolliver

Baek Holdings, LLC

Represented By
Christopher N Coyle
Misty A Perry Isaacson
Corey B. Tolliver

Baek Uptown Property, LLC

Represented By
Christopher N Coyle
Misty A Perry Isaacson
Corey B. Tolliver

Pacific Commercial Group, LLC

Represented By
Christopher N Coyle
Misty A Perry Isaacson

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
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Wednesday, October 16, 2019

Hearing Room 6C

9:00 AM

CONT...

John Olaf Halvorson

Chapter 7

RGJ Baek, LLC

Corey B. Tolliver

Represented By
Christopher N Coyle
Misty A Perry Isaacson
Corey B. Tolliver

Grace Baek

Represented By
Christopher N Coyle
Misty A Perry Isaacson
Corey B. Tolliver

Richard Baek

Represented By
Christopher N Coyle
Misty A Perry Isaacson
Corey B. Tolliver

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Reem J Bello

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 16, 2019

Hearing Room 6C

9:00 AM

8:15-13556 John Olaf Halvorson

Chapter 7

Adv#: 8:15-01454 Baek v. Halvorson et al

#3.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Declaratory Judgment, Nondischargeability Of Debt
(Complaint filed 11/25/15)
(S/C set per Order Entered 2-1-19)

FR: 3-2-16; 6-22-16; 9-28-16; 10-19-16; 11-16-16; 1-28-19; 4-17-19; 7-17-19

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

In his status report, Mr. Halvorson requests that his motion for sanctions in this adversary proceeding and the old, now-dismissed 1391 AP be set for hearing. The district court has ruled that this motion is stayed pending the outcome of the 9th Circuit appeals.

The Court will stay this adversary proceeding through March 31, 2020. The status conference is continued to April 15, 2020 at 9:00 a.m. An updated status report is due April 1, 2020.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

John Olaf Halvorson

Represented By
Marc C Forsythe
Charity J Miller

Defendant(s):

John Olaf Halvorson

Represented By
Charity J Miller

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 16, 2019

Hearing Room 6C

9:00 AM

CONT... John Olaf Halvorson

Chapter 7

Weneta M.A. Kosmala

Marc C Forsythe

Represented By
Reem J Bello

Plaintiff(s):

Grace Baek

Represented By
Christopher N Coyle
Misty A Perry Isaacson
Corey B Tolliver
Ali Matin
Steven J. Katzman
Kyle Kveton

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Reem J Bello

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 16, 2019

Hearing Room 6C

9:00 AM

8:15-13556 John Olaf Halvorson

Chapter 7

Adv#: 8:15-01454 Baek v. Halvorson et al

#3.10

Hearing RE: Motion To Strike The Debtor's Unauthorized "Joinder," "Reply,"
And "Status Report"
(Motion filed 10/10/19)

Docket 491

Tentative Ruling:

APPEARANCES REQUIRED.

The purpose of a status conference is for the Court to gain information as to a particular matter, be it a main bankruptcy case, an adversary proceeding, etc. The Court has routinely allowed persons not technically parties (but who otherwise have an interest in a matter) to participate in status conferences and other matters (namely, Mr. Tolliver). The Court will deny the Baek Parties' motion to strike the status report but will grant the motion to strike the Reply and Joinder because the Debtor is not the real party in interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

John Olaf Halvorson

Represented By
Marc C Forsythe
Charity J Manee

Defendant(s):

John Olaf Halvorson

Represented By
Charity J Manee
Marc C Forsythe

Weneta M.A. Kosmala

Represented By
Reem J Bello

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 16, 2019

Hearing Room 6C

9:00 AM

CONT... John Olaf Halvorson

Chapter 7

Plaintiff(s):

Grace Baek

Represented By
Ali Matin
Steven J. Katzman
Kyle Kveton

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Reem J Bello
Faye C Rasch
Jeffrey I Golden

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
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Wednesday, October 16, 2019

Hearing Room 6C

9:00 AM

8:15-13556 John Olaf Halvorson

Chapter 7

Adv#: 8:17-01119 Kosmala v. Pacific Commercial Group, LLC et al

#4.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint:

- (1) For Turnover Of Property Of The Estate And For An Accounting Pursuant To 11 U.S.C. Section 542;
- (2) For Turnover Of Property Of The Estate And For An Accounting Pursuant To 11 U.S.C. Section 542;
- (3) For Turnover Of Property Of The Estate And For An Accounting Pursuant To 11 U.S.C. Section 542;
- (4) For Turnover Of Property Of The Estate And For An Accounting Pursuant To 11 U.S.C. Section 542;
- (5) To Avoid And Recover Fraudulent Transfers Pursuant To 11 U.S.C. Sections 544(B) And 550; And California Civil Code Sections 3439.04(a)(1); 3439.07 And 3439.09;
- (6) To Avoid And Recover Fraudulent Transfers Pursuant To 11 U.S.C. Sections 544(b) And 550; And California Civil Code Sections 3439.04(a)(2); 3439.07 And 3439.09;
- (7) To Avoid And Recover Fraudulent Transfers Under 11 U.S.C. Sections 544(b) And 550; And California Civil Code Sections 3439.05; 3439.07 And 3439.09;
- (8) To Avoid And Recover Fraudulent Transfers Pursuant To 11 U.S.C. Sections 544(A)(1)(A) And 550;
- (9) To Avoid And Recover Fraudulent Transfers Pursuant To 11 U.S.C. Sections 544(A)(1)(B) And 550;
- (10) To Avoid And Recover Unauthorized Post Petition Transfers Pursuant To 11 U.S.C. Sections 549 And 550;
- (11) Declaratory Relief;
- (12) To Preserve Transfers For The Benefit Of The Estate Pursuant To 11 U.S.C. Section 551; And
- (13) For Attorneys' Fees And Costs
(Complaint filed 7/15/17)
(PTC set at S/C held 3-7-18)
(S/C set per Order Entered 1-11-19)
(S/C reset per Order Entered 2-1-19)

FR: 10-4-17; 11-8-17; 1-17-18; 3-7-18; 11-28-18; 1-28-19; 4-17-19; 7-17-19

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Judge Mark Wallace, Presiding
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9:00 AM

CONT...

John Olaf Halvorson

Chapter 7

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will hear and rule on the pending motion for appointment of a receiver.
The Court will decline to stay this adversary proceeding.

The status conference is continued to April 15, 2020 at 9:00 a.m. An updated status report is due April 1, 2020.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

John Olaf Halvorson

Represented By
Marc C Forsythe
Charity J Miller

Defendant(s):

Pacific Commercial Group, LLC	Pro Se
Baek Family Partnership, LLC	Pro Se
Baek 124, LLC	Pro Se
Baek Holdings, LLC	Pro Se
Baek 153, LLC	Pro Se
RGJ Baek, LLC	Pro Se
Richard Baek	Pro Se
Grace Baek	Pro Se

Plaintiff(s):

Weneta M.A. Kosmala

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
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Wednesday, October 16, 2019

Hearing Room 6C

9:00 AM

CONT...

John Olaf Halvorson

Reem J Bello

Chapter 7

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Reem J Bello
Faye C Rasch

**United States Bankruptcy Court
Central District of California
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Judge Mark Wallace, Presiding
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Wednesday, October 16, 2019

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9:00 AM

8:15-13556 John Olaf Halvorson

Chapter 7

Adv#: 8:17-01119 Kosmala et al v. Pacific Commercial Group, LLC et al

#4.10

Hearing RE: Motion For Order To Appoint Receiver
(Motion filed 9/25/19)

Docket 57

Tentative Ruling:

APPEARANCES REQUIRED.

This matter comes before the Court on the motion (the "Motion") of chapter 7 trustee Weneta M. A. Kosmala (the "Trustee") to appoint a state court receiver to retain possession, maintain and manage the alleged marital community real property of debtor John O. Halvorson ("Mr. Halvorson") and to collect and maintain Mr. Halvorson's alleged marital community assets.

Factual Background

Mr. Halvorson and Grace Baek ("Ms. Baek") were married during the period 2005 to 2012. The couple separated on August 1, 2012, and Mr. Halvorson filed for divorce on November 30, 2012 in California state court.

Mr. Halvorson filed a voluntary petition for relief under chapter 7 of the Bankruptcy Code on July 16, 2015. On July 15, 2017, the Trustee commenced an adversary proceeding by filing a complaint against Ms. Baek, her brother Richard Baek and various entities in which Baek family members held or had held interests, namely, Pacific Commercial Group, LLC, Baek Family Partnership, LLC, Baek 124, LLC, Baek Holdings, LLC, Baek 153, LLC and RGJ Baek, LLC (collectively, the "Baek LLCs"). The complaint alleges that Ms. Baek held equity interests in the Baek LLCs (the "Equity Interests"), that the Equity Interests constitute marital community

**United States Bankruptcy Court
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CONT...

John Olaf Halvorson

Chapter 7

property and that, accordingly, the Equity Interests are bankruptcy estate property pursuant to 11 U.S.C. § 541(a)(2) (bankruptcy estate generally includes all interests of the debtor and the debtor's spouse in community property). The complaint seeks a turnover of the Equity Interests, an accounting, avoidance of alleged fraudulent transfers and other forms of relief. According to the complaint, the Equity Interests and other alleged community property at issue¹ have an aggregate fair market value exceeding \$5 million.

The Motion and Its Request for Relief

The Motion, filed September 25, 2019, asserts that "the Trustee is concerned about the imminent danger of the Estate's interest in the community property assets." Based upon this concern, the Motion asks the Court to appoint a California state court receiver pursuant to a provision of California state law (California Code of Civil Procedure § 564(b)) so that the receiver can take possession of the Equity Interests and other community property at issue, conduct an accounting, trace sales proceeds, and prevent the future dissipation of assets. The Motion acknowledges that some of the Baek LLCs "may no longer be operating."

Case Authorities on the Appointment of a Receiver in Bankruptcy Cases

11 U.S.C. § 105 is entitled "Power of court." 11 U.S.C. § 105(a) gives a bankruptcy court sweeping and wide-ranging authority: "The court may issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of this title. No provision of this title providing for the raising of an issue by a party in interest shall be construed to preclude the court from, sua sponte, taking any action or making any determination necessary or appropriate to enforce or implement court orders or rules, or to prevent an abuse of process."

11 U.S.C. 105 contains only one express limitation on these powers, and it is set forth

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CONT... John Olaf Halvorson

Chapter 7

in 11 U.S.C. § 105(b): "Notwithstanding subsection (a) of this section, a court may not appoint a receiver in a case under this title."²

Despite this seemingly explicit statutory language forbidding the appointment of a receiver in a bankruptcy case, a number of courts have reached the conclusion – surprising to this Court – that the statute in fact allows bankruptcy courts to appoint receivers in cases under title 11.

The seminal case appears to be *In re Memorial Estates, Inc.*, 797 F.2d 516 (7th Cir. 1986) (Posner, J.). In that case a bank began a foreclosure action against a cemetery owned by Memorial Estates, Inc. ("Memorial"). The bank asked a state court to appoint a receiver. Before the state court could act on the application to appoint a receiver, Memorial entered bankruptcy, and the state court action was removed to the bankruptcy court. Memorial's bankruptcy trustee moved for appointment of a receiver for the cemetery, which happened to be the bankruptcy estate's major asset. A receiver was appointed, and an appeal was taken to the United States Court of Appeals for the Seventh Circuit (the "Seventh Circuit"). The Seventh Circuit determined that, notwithstanding the plain language of 11 U.S.C. § 105(b), appointment of a receiver was proper. In the Seventh Circuit's view, the power cut off by section 105(b) is the power to appoint a receiver for the entire bankruptcy estate in lieu of a bankruptcy trustee. The Seventh Circuit also allowed that section 105(b) might also prohibit the appointment of a receiver for a bankrupt's main asset, but only if the trustee opposed the appointment. Because neither of these situations was present in the case, the Seventh Circuit affirmed the order appointing a receiver. What this Court finds especially noteworthy about *Memorial Estates* is that the decision fails to cite any authority supporting its conclusion that section 105(b) does not prohibit the appointment of a receiver for less than the entirety of the bankruptcy estate's assets as long as the trustee does not oppose such appointment. This conclusion does not appear to square with the plain language of section 105(b) or, as will be seen later, its legislative history.

Memorial Estates was followed by *Craig v. McCarty Ranch Trust (In re Cassidy Land & Cattle Co.)*, 836 F.2d 1130 (8th Cir. 1988). In *Cassidy*, the United States

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John Olaf Halvorson

Chapter 7

Court of Appeals for the Eighth Circuit (the "Eighth Circuit") agreed with the Seventh Circuit that section 105(b) prohibits only the appointment of a receiver for the estate in lieu of a trustee, not an appointment of a receiver where the trustee requests the appointment. The Eighth Circuit cited no authority for this conclusion other than *Memorial Estates*. *Id.* at 1133.

Other courts have appointed receivers in bankruptcy cases, following *Memorial Estates* and *Cassidy*, and sometimes make a distinction between the appointment of a receiver in a main bankruptcy case and the appointment of a receiver in an adversary proceeding within a main bankruptcy case. *See, e.g., Balakian v. Balakian*, Case No. CV-F-07-1011 OWW, 2008 U.S. Dist. LEXIS 121067 (E.D. Cal., July 8, 2008), *decision modified on rehearing*, 2008 U.S. Dist. LEXIS 80351 (E.D. Cal., Oct. 10, 2008); *Dye v. Taxe (In re Kellogg-Taxe)*, No. 2:12-bk-51208-RN, 2014 Bankr. LEXIS 1213 (Bankr. C.D. Cal., March 28, 2014); *Movitz v. Fiesta Invs., LLC (In re Ehmann)*, 319 B.R. 200, 206-07 n.10 (Bankr. D. Ariz. 2005); *Schlein v. Golub (In re Schlein)*, 178 B.R. 82, 85-86 (Bankr. E.D. Pa. 1995).

Collier on Bankruptcy states that section 105(b) "only prohibits appointment of a receiver in a case under title 11. It does not prohibit the appointment of a receiver in a related adversary proceeding if otherwise authorized and appropriate," citing for this purpose only *Memorial Estates* and *Cassidy*. 2 *Collier on Bankruptcy* ¶ 105.06 at 105-90 (16th edition 2019).

Analysis

An adversary proceeding is a lawsuit that, necessarily, is filed within or is removed to a bankruptcy case and is governed by Part VII of the Federal Rule of Bankruptcy Procedures. *See, e.g., In re Ballard*, 502 B.R. 311, 320 (Bankr. S.D. Ohio 2013). Adversary proceedings are subactions raised within a bankruptcy case. *Wiley v. Paul Mason & Assocs. (In re Wiley)*, 237 B.R. 677, 685 (Bankr. N.D. Ill. 1999).

Additionally, various provisions of the Federal Rules of Bankruptcy Procedure

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Chapter 7

support the notion that bankruptcy cases and related adversary proceedings are "joined at the hip," as the saying goes, and that a general reference to a "a case under this title" in section 105(b) would include all adversary proceedings related to such case. For example, Bankruptcy Rule 4004(a) provides in relevant part that "**In a chapter 7 case**, a complaint . . . objecting to the debtor's discharge shall be filed no later than 60 days after the first date set for the meeting of creditors under § 341(a)" (bold-faced type added). Bankruptcy Rule 4007 allows a bankruptcy case to be reopened for the purpose of filing a complaint seeking a determination that a specific debt is or is not excepted from discharge (implying that such an adversary proceeding could not be entertained by a bankruptcy court unless the main bankruptcy case was reopened).

11 U.S.C. § 324(b) provides that whenever a court removes a trustee for cause, "such trustee . . . shall thereby be removed in all other cases under this title in which such trustee . . . is then serving" It cannot be plausibly contended that "all other cases under this title" excludes adversary proceedings and that a removed trustee could continue to serve as trustee in adversary proceedings attached to such cases. Quite obviously, "all other cases under this title" includes all of the adversary proceedings attached to those cases in this context.

These considerations strongly suggest that the reference to a "case under this title" also sweeps in all adversary proceedings related to that case. If this interpretation is correct, then the plain meaning rule applies and would compel the conclusion that this Court is prohibited from appointing a receiver. The starting point in discerning Congressional intent is the existing statutory text. When the statute's language is plain, the sole function of the courts is to enforce it according to its terms. *Lamie v. United States Trustee*, 540 U.S. 526, 534 (2004) (Kennedy, J.); *Caminetti v. United States*, 242 U.S. 470, 452-53 (1917). If the plain meaning rule applies here, there is no reason to think that notwithstanding the statutory prohibition a bankruptcy court could appoint a receiver for less than all the bankruptcy estate's assets or that somehow the fact that the bankruptcy trustee is in favor of a receiver's appointment gives the bankruptcy court a valid excuse for ignoring the statute's plain dictate.

Still, there remains a possibility that "a case under this title" is ambiguous as to

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John Olaf Halvorson

Chapter 7

whether this includes adversary proceedings. Because of that possibility, the Court turns to the legislative history of section 105(b), which is remarkably brief. Senate Report 95-989 (95th Cong, 2nd Sess., 1978) states as follows: ". . . the bankruptcy judge is prohibited from appointing a receiver in a case under title 11 *under any circumstances*. The bankruptcy court has ample provision for the appointment of a trustee when needed. Appointment of a receiver would simply circumvent the established procedures" (italics added).

The "under any circumstances" language of the legislative history quoted above makes it very unlikely a bankruptcy court would be acting within the bounds of the law if it were to appoint a receiver for less than the entirety of a bankruptcy estate (suggested to be proper and appropriate in *Memorial Estates*) or to appoint a receiver because the bankruptcy trustee favors such appointment (suggested to be proper and appropriate in *Memorial Estates* where less than the entirety of the estate would be placed in receivership).

Bankruptcy trustees and receivers have very different roles, duties and loyalties. A bankruptcy trustee is the representative of the estate. 11 U.S.C. § 323(a). A receiver, on the other hand, is appointed by the court as a representative of the court to manage, control and deal with the property that is the subject matter of a controversy. 4 Pomeroy's Equity Jurisprudence § 1330. A trustee's duties are spelled out in great detail in 11 U.S.C. § 704. There is no reason to believe a receiver would have such duties unless the court expressly imposed them, and even then they would be imposed not pursuant to section 704 but instead pursuant to the court's appointment order. A trustee has fiduciary duties running to the creditor body and, if the estate is solvent, the debtor. A receiver's fiduciary duties run to the court.

Because of these very different, roles, duties and loyalties, the appointment of a receiver in an adversary proceeding would indeed "circumvent established procedures" within the meaning of Senate Report 95-989, and this is a strong reason why a bankruptcy court has no authority to appoint a receiver in an adversary proceeding.

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John Olaf Halvorson

Chapter 7

Here, the Trustee asks the Court to appoint a receiver for property that the Trustee alleges to be property of the bankruptcy estate under 11 U.S.C. § 541(a)(2) because of concerns such property is being dissipated. The Trustee's remedies at law in this situation would include, at a minimum, turnover under 11 U.S.C. § 542. Equitable remedies other than receivership may be available as well, but only if such equitable remedies are consistent with the Bankruptcy Code and Rules. 11 U.S.C. § 105 does not allow a bankruptcy court to override explicit mandates of other sections of the Bankruptcy Code. *Law v. Siegel*, 571 U.S. 415, 420-21 (2014). The equitable powers of a bankruptcy court can only be exercised within the confines of the Bankruptcy Code. *Id.* at 421. In any event, equity follows the law. *Rees v. City of Watertown*, 86 U.S. 107, 122 (1874) ("A court of equity cannot . . . create a remedy in violation of law . . ."). Because section 105(b) precludes this Court from appointing a receiver, the Court may not exercise its equitable powers to override section 105(b) to appoint a receiver.

The Motion is denied with prejudice.

MS. BAEK TO LODGE ORDER

Party Information

Debtor(s):

John Olaf Halvorson

Represented By
Marc C Forsythe
Charity J Manee

Defendant(s):

Pacific Commercial Group, LLC

Represented By
Steven J. Katzman
Ali Matin
Kyle Kveton

Baek Family Partnership, LLC

Represented By
Steven J. Katzman
Ali Matin
Kyle Kveton

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 16, 2019

Hearing Room 6C

9:00 AM

CONT... John Olaf Halvorson

Chapter 7

Baek 124, LLC

Represented By
Steven J. Katzman
Ali Matin
Kyle Kveton

Baek Holdings, LLC

Represented By
Steven J. Katzman
Ali Matin
Kyle Kveton

Baek 153, LLC

Represented By
Steven J. Katzman
Ali Matin
Kyle Kveton

RGJ Baek, LLC

Represented By
Steven J. Katzman
Ali Matin
Kyle Kveton

Richard Baek

Represented By
Steven J. Katzman
Ali Matin
Kyle Kveton

Grace Baek

Represented By
Steven J. Katzman
Ali Matin
Kyle Kveton

Plaintiff(s):

Weneta M.A. Kosmala

Represented By
Reem J Bello

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Reem J Bello
Faye C Rasch
Jeffrey I Golden

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 16, 2019

Hearing Room 6C

9:00 AM

CONT... John Olaf Halvorson

Chapter 7

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 16, 2019

Hearing Room 6C

9:00 AM

8:15-13556 John Olaf Halvorson

Chapter 7

Adv#: 8:17-01119 Kosmala et al v. Pacific Commercial Group, LLC et al

#4.20

Hearing RE: Motion To Strike The Debtor's Unauthorized "Joinder," "Reply,"
And "Status Report"
(Motion filed 10/10/19)

Docket 65

Tentative Ruling:

APPEARANCES REQUIRED.

The purpose of a status conference is for the Court to gain information as to a particular matter, be it a main bankruptcy case, an adversary proceeding, etc. The Court has routinely allowed persons not technically parties (but who otherwise have an interest in a matter) to participate in status conferences and other matters (namely, Mr. Tolliver). The Court will deny the Baek Parties' motion to strike the status report but will grant the motion to strike the Reply and Joinder because the Debtor is not the real party in interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

John Olaf Halvorson

Represented By
Marc C Forsythe
Charity J Manee

Defendant(s):

Pacific Commercial Group, LLC

Represented By
Steven J. Katzman
Ali Matin
Kyle Kveton

Baek Family Partnership, LLC

Represented By
Steven J. Katzman

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 16, 2019

Hearing Room 6C

9:00 AM

CONT... John Olaf Halvorson

Chapter 7

Baek 124, LLC

Ali Matin
Kyle Kveton

Represented By
Steven J. Katzman
Ali Matin
Kyle Kveton

Baek Holdings, LLC

Represented By
Steven J. Katzman
Ali Matin
Kyle Kveton

Baek 153, LLC

Represented By
Steven J. Katzman
Ali Matin
Kyle Kveton

RGJ Baek, LLC

Represented By
Steven J. Katzman
Ali Matin
Kyle Kveton

Richard Baek

Represented By
Steven J. Katzman
Ali Matin
Kyle Kveton

Grace Baek

Represented By
Steven J. Katzman
Ali Matin
Kyle Kveton

Plaintiff(s):

Weneta M.A. Kosmala

Represented By
Reem J Bello
Jeffrey I Golden

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 16, 2019

Hearing Room 6C

9:00 AM

CONT... John Olaf Halvorson

Chapter 7

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Reem J Bello
Faye C Rasch
Jeffrey I Golden

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 16, 2019

Hearing Room 6C

9:00 AM

8:15-13556 John Olaf Halvorson

Chapter 7

Adv#: 8:17-01120 Kosmala v. Hoosten et al

#5.00

CONT'D STATUS CONFERENCE RE: Complaint:

- (1) To Avoid And Recover Fraudulent Transfers Pursuant To 11 U.S.C. Sections 548(a)(1)(A), 548(a)(1)(B) And 550;
- (2) To Avoid And Recover Fraudulent Transfers Pursuant To 11 U.S.C. Sections 548(a)(1)(A), 548(a)(1)(B) And 550;
- (3) For Breach Of Contract;
- (4) To Avoid And Recover Fraudulent Transfers Pursuant To 11 U.S.C. Sections 548(a)(1)(A), 548(a)(1)(B) And 550;
- (5) To Avoid And Recover Preferential Transfers Pursuant To 11 U.S.C. Sections 547 And 550;
- (6) For Resulting Trust;
- (7) For Constructive Trust;
- (8) To Preserve Transfers For The Benefit Of The Estate Pursuant To 11 U.S.C. Section 551; And
- (9) For Attorneys' Fees And Costs
(set per order entered 3-2-18)

FR: 4-25-18; 7-25-18; 11-14-18; 12-12-18; 4-17-19; 7-17-19

Docket 1

***** VACATED *** REASON: CONTINUED TO JANUARY 22, 2020 AT
9:00 A.M. PER ORDER APPROVING STIPULATION TO CONTINUE
STATUS CONFERENCE ENTERED 10-11-19- (DOCKET NO. [53])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

John Olaf Halvorson

Represented By
Marc C Forsythe
Charity J Miller

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 16, 2019

Hearing Room 6C

9:00 AM

CONT... John Olaf Halvorson

Chapter 7

Defendant(s):

David Hoosten Pro Se

PCC Fund 1, LLC Pro Se

Rod Van Zandt Pro Se

Plaintiff(s):

Weneta M.A. Kosmala Represented By
Reem J Bello

Trustee(s):

Weneta M Kosmala (TR) Represented By
Reem J Bello
Faye C Rasch
Jeffrey I Golden

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 16, 2019

Hearing Room 6C

9:00 AM

8:15-13556 John Olaf Halvorson

Chapter 7

Adv#: 8:19-01191 Baek et al v. Halvorson et al

#5.10

STATUS CONFERENCE Hearing RE: Complaint (Fraudulent Transfer;
Constructive/Resulting Trust)
(Complaint filed 3/26/19)

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will stay this adversary proceeding through March 31, 2020. The status conference is continued to April 15, 2020 at 9:00 a.m. An updated status report is due April 1, 2020.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

John Olaf Halvorson

Represented By
Marc C Forsythe
Charity J Manee

Defendant(s):

John O. Halvorson

Represented By
Marc C Forsythe
Charity J Manee

Dan L. Halvorson

Represented By
Christopher Celentino
Guillermo Cabrera
Peter W Bowie

Jerry Ann Randall

Represented By
Christopher Celentino

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 16, 2019

Hearing Room 6C

9:00 AM

CONT... John Olaf Halvorson

Chapter 7

	Guillermo Cabrera Peter W Bowie
Jerry Ann Randall as Trustee of the	Represented By Christopher Celentino Guillermo Cabrera Peter W Bowie
PCC Fund I, LLC	Pro Se
Granite Bay Partners II, LLC	Pro Se
JH RE Holdings, LLC	Pro Se

Plaintiff(s):

Richard Baek	Represented By Ali Matin Steven J. Katzman Kyle Kveton Thomas H Bienert Jr. Phillip Allan Trajan Perez
Baek 153 LLC	Represented By Ali Matin Steven J. Katzman Kyle Kveton Thomas H Bienert Jr. Phillip Allan Trajan Perez
Pacific Commercial Group LLC	Represented By Ali Matin Steven J. Katzman Kyle Kveton Thomas H Bienert Jr. Phillip Allan Trajan Perez
Weneta Kosmala	Represented By Reem J Bello

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 16, 2019

Hearing Room 6C

9:00 AM

CONT... John Olaf Halvorson

Chapter 7

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Reem J Bello
Faye C Rasch
Jeffrey I Golden

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 16, 2019

Hearing Room 6C

9:00 AM

8:17-14478 Dennis Edward Lake

Chapter 7

Adv#: 8:18-01035 Federal Trade Commission v. Lake

#6.00

CONT'D STATUS CONFERENCE Hearing RE: Amended Complaint For
Nondischargeability Of Debt
(Complaint filed 2/9/18) (Amended Complaint filed 3/30/18)
(Another Summons issued 3/30/18)

FR: 5-23-18; 6-27-18; 10-24-18; 4-10-19

Docket 9

Tentative Ruling:

APPEARANCES NOT REQUIRED.

In view of the continuance of Debtor's sentencing to January of 2020, the Court will continue the status conference to March 11, 2020 at 9:00 a.m. An updated status report shall be filed no later than February 26, 2020.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Dennis Edward Lake

Represented By
D Justin Harelik

Defendant(s):

Dennis Edward Lake

Pro Se

Plaintiff(s):

Federal Trade Commission

Represented By
Michael P Mora

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 16, 2019

Hearing Room 6C

9:00 AM

8:18-10607 Nicole Clarisa Sadler

Chapter 7

Adv#: 8:19-01156 Casey v. Cluff

#7.00

STATUS CONFERENCE Hearing RE: Chapter 7 Trustee's Complaint Against Larry Cluff For:
(1) Declaratory Relief Regarding Defendant's Occupancy Of The Rental Property;
(2) Turnover Of Rental Value Pursuant To 11 U.S.C. Section 542; And
(3) Turnover Of Rental Property Which Is Property Of The Estate Pursuant To 11 U.S.C. Section 542
(Complaint Filed 7/29/19)

Docket 1

***** VACATED *** REASON: OFF CALENDAR - CHAPTER 7
TRUSTEE'S REQUEST FOR VOLUNTARY DISMISSAL OF
COMPLAINT FILED 9-25-19 - (DOCKET NO. [8])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Nicole Clarisa Sadler Pro Se

Defendant(s):

Larry Cluff Pro Se

Plaintiff(s):

Thomas H. Casey Represented By
Thomas H Casey

Trustee(s):

Thomas H Casey (TR) Represented By
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 16, 2019

Hearing Room 6C

9:00 AM

8:18-11759 Chester Davenport

Chapter 7

Adv#: 8:18-01208 Eastwest Partners Investment, LLC v. Davenport

#8.00

PRE-TRIAL CONFERENCE Hearing RE: Eastwest Partners Investment, LLC's
Complaint For Nondischargeability Of Debt Pursuant To 11 U.S.C. Section
523(a)(2) And Section 523(a)(6)
(Complaint filed 11/27/18)
(First Amended Complaint filed 1/16/19)
(PTC set at S/C held 2/27/19)

FR: 2-27-19

Docket 1

***** VACATED *** REASON: CONTINUED TO JANUARY 22, 2020 AT
9:00 A.M. PER ORDER CONTINUING PRETRIAL CONFERENCE
ENTERED 10-15-19 - (DOCKET NO. [53])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Chester Davenport

Represented By
Michael Jay Berger

Defendant(s):

Chester Davenport

Pro Se

Plaintiff(s):

Eastwest Partners Investment, LLC

Represented By
Stella A Havkin

Trustee(s):

Karen S Naylor (TR)

Represented By
Kathleen J McCarthy
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 16, 2019

Hearing Room 6C

9:00 AM

8:18-11997 QDOS, Inc

Chapter 11

#9.00

CONT'D STATUS CONFERENCE Hearing RE: Chapter 11 Involuntary Petition
(Petition filed 5/31/18)

FR: 6-25-18; 8-1-18; 9-19-18; 10-24-18; 7-8-19

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

This involuntary case cannot proceed until the pending appeal is decided and the BAP's mandate issues. This status conference therefore is continued to March 11, 2020 at 9:00 a.m. An updated status report shall be filed on or before February 26, 2020.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

QDOS, Inc

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 16, 2019

Hearing Room 6C

9:00 AM

8:18-12427 James Russell Balsamo

Chapter 7

Adv#: 8:18-01189 Labor Commissioner, State of California v. Balsamo

#10.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint To Request
Determination Of Dischargeability Of Debt
(Complaint filed 10/15/18)
(Another Summons issued 1/14/19)
(PTC set at S/C held 4/10/19)

FR: 1-9-19

Docket 1

***** VACATED *** REASON: CONTINUED TO FEBRUARY 12, 2020 AT
9:00 A.M. PER ORDER EXTENDING HEARING CUTOFF ENTERED 8-
13-19 (DOCKET NO. [51])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

James Russell Balsamo

Represented By
Joseph M Tosti

Defendant(s):

James Russell Balsamo

Pro Se

Plaintiff(s):

Labor Commissioner, State of

Represented By
Phoebe P Liu

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 16, 2019

Hearing Room 6C

9:00 AM

8:19-12375 South Coast Behavioral Health, Inc.

Chapter 11

Adv#: 8:19-01158 South Coast Behavioral Health, Inc. v. Reliable Fast Cash, LLC et al

#11.00

STATUS CONFERENCE Hearing RE: Complaint For:

- (1) Declaratory Relief;
 - (2) Usury;
 - (3) Avoidance Of Preferential Transfers;
 - (4) Avoidance Of Fraudulent Transfers;
 - (5) Recovery Of Preferential And Fraudulent Transfers;
 - (6) Fraud;
 - (7) Ratcheering (18 U.S.C. Section 1962)
- (Complaint filed 7/30/10)

Docket 1

***** VACATED *** REASON: CONTINUED TO NOVEMBER 13, 2019
AT 9:00 A.M. PER ANOTHER SUMMONS ISSUED ON THE COUNTER-
CLAIM ON 9-3-19 - (DOCKET NO. [10])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

South Coast Behavioral Health, Inc.

Represented By
Michael N Nicastrò
Sean A OKeefe

Defendant(s):

Reliable Fast Cash, LLC

Pro Se

Mendl Chanin

Pro Se

Plaintiff(s):

South Coast Behavioral Health, Inc.

Represented By
Sean A OKeefe

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 17, 2019

Hearing Room 225

9:00 AM

6:16-20446 BioData Medical Laboratories, Inc.

Chapter 11

Adv#: 6:16-01299 BioData Medical Laboratories, Inc. v. Merchant Cash & Capital, LLC.

#1.00

PRE-TRIAL CONFERENCE re: Complaint by BioData Medical Laboratories, Inc. against Merchant Cash & Capital, LLC.. (Charge To Estate). Nature of Suit: (12 (Recovery of money/property - 547 preference)),(13 (Recovery of money/property - 548 fraudulent transfer)),(72 (Injunctive relief - other)),(91 (Declaratory judgment))

(Con't from 8/22/19)

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into the status of this adversary proceeding.

The date of the next status conference is to be determined.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

BioData Medical Laboratories, Inc.

Represented By
Robert M Yaspan

Defendant(s):

Merchant Cash & Capital, LLC.

Pro Se

Plaintiff(s):

BioData Medical Laboratories, Inc.

Represented By
Robert M Yaspan

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 17, 2019

Hearing Room 225

9:00 AM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

Adv#: 6:19-01108 Fleming Sr v. Fleming Jr et al

#2.00

STATUS CONFERENCE re Complaint by Terry Lee Fleming Sr against Terry Lee Fleming Jr, Havasu Lakeshore Investments, Jean Victor Peloquin, Victor Construction, Inc., Teeple Hall LLP, Hart King, Donald Hamman, Donna Bader, Higgs Fletcher & Mack LLP; Complaint (1) to Determine Validity, Priority and Extent of Liens; (2) for Declaratory Relief; and (3) for Interpleader (Attachments: # 1 Exhibit 1 - Notice of Levy) Nature of Suit: (21 (Validity, priority or extent of lien or other interest in property)),(91 (Declaratory judgment)),(72 (Injunctive relief - other)

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will issue a scheduling order:

1. All discovery closes April 30, 2020.
2. All discovery motions shall be heard before May 31, 2020.
3. All pretrial motions shall be heard before June 30, 2020.
4. Pretrial conference is set for July 23, 2020 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

Defendant(s):

Terry Lee Fleming Jr

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 17, 2019

Hearing Room 225

9:00 AM

CONT... Terry Lee Fleming, Sr

Chapter 11

Havasu Lakeshore Investments	Pro Se
Jean Victor Peloquin	Pro Se
Victor Construction, Inc.	Pro Se
Teeple Hall LLP	Pro Se
Hart King	Pro Se
Donald Hamman	Pro Se
Donna Bader	Pro Se
Higgs Fletcher & Mack LLP	Pro Se

Plaintiff(s):

Terry Lee Fleming Sr

Represented By
James E Till

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 17, 2019

Hearing Room 225

9:00 AM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

Adv#: 6:19-01108 Fleming Sr v. Fleming Jr et al

#3.00

Hrg. on Motion filed by Teeple Hall LLP on 9/10/19 to Dismiss Plaintiff's First Amended Complaint

Docket 20

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

Defendant(s):

Terry Lee Fleming Jr

Represented By
Andrew Still
Michael B Reynolds

Havasu Lakeshore Investments

Pro Se

Jean Victor Peloquin

Pro Se

Victor Construction, Inc.

Pro Se

Teeple Hall LLP

Represented By
Frederick M Reich

Hart King

Pro Se

Donald Hamman

Pro Se

Donna Bader

Pro Se

Higgs Fletcher & Mack LLP

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 17, 2019

Hearing Room 225

9:00 AM

CONT... Terry Lee Fleming, Sr

Chapter 11

Martin A Eliopulos

J Victor Construction, Inc.

Pro Se

Plaintiff(s):

Terry Lee Fleming Sr

Represented By
James E Till

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 17, 2019

Hearing Room 225

9:00 AM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

Adv#: 6:18-01236 Fleming, Sr v. Havasu Lakeshore Investments

#4.00

Hrg on Attorney for Defendants Motion filed 9/18/19 to Dismiss Plaintiff's Claim for Equitable Subordination of His Second Amended Complaint Pursuant to Rule 12(b)(6)

Docket 48

Tentative Ruling:

APPEARANCES REQUIRED.

Equitable subordination of a creditor's claim requires proof of three elements: (1) the creditor engaged in inequitable conduct, (2) the misconduct injured other creditors or conferred unfair advantage on the claimant, and (3) subordination would not be inconsistent with the Bankruptcy Code. Defendant HLI moves to dismiss the equitable subordination count of the complaint based upon the argument that the Second Amended Complaint fails to allege facts satisfying requirements (1) and (2) above.

If the Second Amended Complaint had merely alleged that HLI reported a suspected crime to the District Attorney and as a matter of pure happenstance, the District Attorney by pure coincidence had Debtor arrested the day before the 341(a) meeting, HLI's argument as to (1) would be well taken. However, the Second Amended Complaint goes far beyond this, alleging that HLI consciously attempted to get Debtor arrested at the 341(a) meeting with the specific purpose of disrupting the meeting, humiliating Debtor and wrecking Debtor's chapter 11 case. These allegations, if proven, would make out a case of inequitable conduct. The allegations are not conclusory in nature because they cite potential evidence, namely, an allegation that HLI's counsel boasted on multiple occasions about Debtor's arrest and his intent to disrupt the bankruptcy case.

Regarding item (2), HLI is correct that if other creditors besides HLI are all paid in

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 17, 2019

Hearing Room 225

9:00 AM

CONT...

Terry Lee Fleming, Sr

Chapter 11

full, HLI would not have gained an advantage over other creditors. However, the other leg of the requirement pertains to HLI having obtained an unfair advantage by its actions. The complaint alleges that HLI's alleged inequitable conduct materially delayed the bankruptcy case, benefiting HLI because HLI's very large judgment is accruing interest at 10 percent per annum. This allegation satisfies requirement (2) as a pleading matter.

HLI's request for judicial notice is granted. Debtor's request for judicial notice is granted.

The motion to dismiss is denied with prejudice.

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

Defendant(s):

Havasu Lakeshore Investments

Represented By
Martin A Eliopulos
Gregory M. Garrison
Frederick M Reich

Plaintiff(s):

Terry Lee Fleming Sr

Represented By
James E Till

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 17, 2019

Hearing Room 225

9:00 AM

6:18-14202 Armando C Meras

Chapter 7

Adv#: 6:19-01068 Pringle v. Meras et al

#5.00

Hrg. on Plaintiff's Motion filed 8/6/19 For Summary Judgment

(Cont. from 9/19/19)

Docket 10

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and enter summary judgment against Debtors pursuant to 11 U.S.C. §§ 727(a)(4)(A), 727(a)(4)(D) and 727(a)(3).

The Court grants the request for judicial notice as to numbered paragraphs 1-8, Exhibits G and H.

WITHIN 7 DAYS, CHAPTER 7 TRUSTEE SHALL LODGE (1) AN ORDER GRANTING THE MOTION FOR SUMMARY JUDGMENT, AND (2) A FORM OF JUDGMENT.

Party Information

Debtor(s):

Armando C Meras

Represented By
Yoon O Ham

Defendant(s):

Armando C. Meras

Represented By
Yoon O Ham

Veronica Y. Meras

Represented By
Yoon O Ham

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 17, 2019

Hearing Room 225

9:00 AM

CONT... Armando C Meras

Chapter 7

Joint Debtor(s):

Veronica Y Meras

Represented By
Yoon O Ham

Plaintiff(s):

John P. Pringle

Represented By
Toan B Chung

Trustee(s):

John P Pringle (TR)

Represented By
Toan B Chung

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 17, 2019

Hearing Room 225

9:00 AM

6:18-17439 Robert Mansour Hamzey, Jr.

Chapter 7

Adv#: 6:19-01029 Express Cash Flow, LLC v. Hamzey, Jr. et al

#6.00

Status Conference re: Complaint to determine dischargeability of debt pursuant to 11 U.S.C. Section 523(a)(2)(A), 523(a)(2)(B); 523(a)(6)

(Cont. from 4/25/19)

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The status conference is continued to February 20, 2020 at 9:00 a.m. The parties should make an effort to finalize settlement documents, file a settlement stipulation and lodge an order thereon by January 31, 2020 so that the February 20 status conference will be unnecessary.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Robert Mansour Hamzey Jr.

Represented By
Daniel C Sever

Defendant(s):

Robert Mansour Hamzey Jr.

Pro Se

Marie Ann Hamzey

Pro Se

Joint Debtor(s):

Marie Ann Hamzey

Represented By
Daniel C Sever

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 17, 2019

Hearing Room 225

9:00 AM

CONT... Robert Mansour Hamzey, Jr.

Chapter 7

Plaintiff(s):

Express Cash Flow, LLC

Represented By
R Gibson Pagter Jr.

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 17, 2019

Hearing Room 225

9:00 AM

6:18-18731 Scott Shih Lee

Chapter 7

Adv#: 6:19-01099 Whitmore v. 3XM Development, LLC, a Nevada Limited Liability C

#7.00

STATUS CONFERENCE re: Complaint by Robert S. Whitmore against 3XM Development, LLC, a Nevada Limited Liability Company, Lance Richard Hall

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will issue a scheduling order:

1. All discovery closes April 30, 2020.
2. All discovery motions shall be heard before May 31, 2020.
3. All pretrial motions shall be heard before June 30, 2020.
4. Pretrial conference is set for July 23, 2020 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Scott Shih Lee

Represented By
Ronald D Halpern

Defendant(s):

3XM Development, LLC, a Nevada

Pro Se

Lance Richard Hall

Pro Se

Plaintiff(s):

Robert S. Whitmore

Represented By
Tinho Mang

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 17, 2019

Hearing Room 225

9:00 AM

CONT... Scott Shih Lee

Chapter 7

Trustee(s):

Robert Whitmore (TR)

Represented By
D Edward Hays
Tinho Mang

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 17, 2019

Hearing Room 225

9:00 AM

6:18-18731 Scott Shih Lee

Chapter 7

Adv#: 6:19-01104 Whitmore v. Shih Lee

#8.00

STATUS CONFERENCE re: Complaint by Robert S. Whitmore against Scott Shih Lee. Nature of Suit: (41 (Objection / revocation of discharge - 727(c),(d),(e)))

Docket 1

*** VACATED *** REASON: Court entered Default on 9/27/19 - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Scott Shih Lee

Represented By
Ronald D Halpern

Defendant(s):

Scott Shih Lee

Pro Se

Plaintiff(s):

Robert S. Whitmore

Represented By
Tinho Mang

Trustee(s):

Robert Whitmore (TR)

Represented By
D Edward Hays
Tinho Mang

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 17, 2019

Hearing Room 225

9:00 AM

6:18-18731 Scott Shih Lee

Chapter 7

#9.00

Hrg. on chapter 7 trustee's Third Motion filed 9/25/19 for Order Extending the Deadline to Assume or Reject Executory Contracts

(Hrg. date and time approved by Chambers)

Docket 136

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Scott Shih Lee

Represented By
Ronald D Halpern

Trustee(s):

Robert Whitmore (TR)

Represented By
D Edward Hays
Tinho Mang
Ronald D Halpern

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 17, 2019

Hearing Room 225

9:00 AM

6:18-19108 Alfred Jake Kendrick

Chapter 7

Adv#: 6:19-01022 Kendrick-Patterson v. Kendrick

#10.00

PRE-TRIAL CONFERENCE re: Complaint by Regena M Kendrick-Patterson against Alfred Jake Kendrick . (d),(e)) ,(68 (Dischargeability - 523(a)(6), willful and malicious injury)) ,(62 (Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud))

Docket 1

*** VACATED *** REASON: Adversary case settled - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Alfred Jake Kendrick

Represented By
Rabin J Pournazarian

Defendant(s):

Alfred Jake Kendrick

Pro Se

Plaintiff(s):

Regena M Kendrick-Patterson

Pro Se

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 17, 2019

Hearing Room 225

9:00 AM

6:18-20687 Jack E. Commeford

Chapter 7

Adv#: 6:19-01101 Anderson, Chapter 7 Trustee v. Trujillo

#11.00

STATUS CONFERENCE re: Complaint by Karl T. Anderson, Chapter 7 Trustee against Ernest Trujillo (1) Avoidance and Recovery of Intentional Fraudulent Transfer; (2) Avoidance and Recovery of Constructive Fraudulent Transfer; (3) Recovery of Property; and (4) Preservation of Avoided Transfer Nature of Suit: (13 (Recovery of money/property - 548 fraudulent transfer))

Docket 1

***** VACATED *** REASON: Cont. to 2/27/20 @ 9:00 a.m. by order signed on 10/7/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jack E. Commeford

Represented By
Keith Q Nguyen

Defendant(s):

Ernest Trujillo

Pro Se

Plaintiff(s):

Karl T. Anderson, Chapter 7 Trustee

Represented By
Thomas J Eastmond

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 17, 2019

Hearing Room 225

9:00 AM

6:19-12394 Michael Walter Maynard, II

Chapter 7

Adv#: 6:19-01095 Golden 1 Credit Union v. Maynard, II

#12.00

Hrg on Attorney for Defendant's Motion filed 9/20/19 to Dismiss Complaint for Failure to State Claim

Docket 7

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion with leave to amend as to the first cause of action (fraud). The FRCP 9 pleading standards for fraud are not met.

The Court will grant the motion without leave to amend as to the second cause of action (willful and malicious injury).

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Michael Walter Maynard II

Represented By
Melissa A Raskey

Defendant(s):

Michael Walter Maynard II

Represented By
Melissa A Raskey

Plaintiff(s):

Golden 1 Credit Union

Represented By
Mirco J Haag

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Monday, October 21, 2019

Hearing Room 225

2:00 PM

6:17-18333 Ana Maria Perez

Chapter 7

#1.00

Hrg. on Application for Compensation for Final Fees and/or Expenses with Proof of Service for Roquemore, Pringle & Moore, Inc., General Counsel, Period: 2/23/2018 to 8/30/2019, Fee: \$22,765.00, Expenses: \$1,740.78.

Docket 80

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant and allow:

Trustee's fees: \$18,765.00

Trustee's expenses: \$1,740.78

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Ana Maria Perez

Pro Se

Trustee(s):

John P Pringle (TR)

Represented By
Toan B Chung

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, October 21, 2019

Hearing Room 6C

9:00 AM

8:19-11370 Carrie Jean Heckel

Chapter 7

#1.00

CONT'D Motion for relief from stay [Real Property]

U.S. Bank National Association, As Trustee For Lehman XS Trust Mortgage
Pass-Through Certificates, Series 2007-7N vs. DEBTOR
(Motion filed 8/19/19)
(Amended Motion filed 9/24/19)

[RE: 523 Hampton Street, Anaheim, CA 92801]

FR: 9-16-19; 9-23-19

[Tele. appr., Angie M. Marth, repr., US Bank]

Docket 34

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion under § 362(d)(1) and (d)(2).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Carrie Jean Heckel

Represented By
Paul S Nash

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, October 21, 2019

Hearing Room 6C

9:00 AM

8:15-11468 Elaine Estrada

Chapter 13

#2.00

Motion for relief from stay [Real Property]

Nationstar Mortgage LLC vs. DEBTOR
(Motion filed 9/17/19)

[RE: 1930 West El Dorado Avenue, La Habra, CA 90631]

[Tele. appr., Darlene C. Vigil, repr., Nationstar Mortgage]

Docket 33

Tentative Ruling:

APPEARANCES REQUIRED.

Debtor's counsel was served at the address shown in the docket (as of October 15, 2019) and, in any event, was able to file a timely opposition.

The Declaration in opposition to the motion is vague and unpersuasive.

The Court will grant the motion under § 362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Elaine Estrada

Represented By
Cynthia L Spalding

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, October 21, 2019

Hearing Room 6C

9:00 AM

8:16-13609 Carmine Bianco and Maria Luz Bianco

Chapter 13

#3.00

Motion for relief from stay [Real Property]

Nationstar Mortgage LLC, d/b/a Mr. Cooper vs. DEBTORS
(Motion filed 9/20/19)

[RE: 1101 Rosecrans Avenue, Fullerton, CA 92833]

Docket 42

***** VACATED *** REASON: OFF CALENDAR - VOLUNTARY
DISMISSAL OF MOTION FILED 10-8-19 - (DOCKET NO. [47])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Carmine Bianco

Represented By
Michael E Clark

Joint Debtor(s):

Maria Luz Bianco

Represented By
Michael E Clark

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, October 21, 2019

Hearing Room 6C

9:00 AM

6:17-18961 Joseph Edward Putney and Julie Anna Putney

Chapter 7

#4.00

Hrg. on Order to Show Cause

Re: Ming Cong Dang

Docket 0

***** VACATED *** REASON: Trailed to 2:00 pm per Order entered
9/19/19**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Joseph Edward Putney

Represented By
Jenny L Doling
Summer M Shaw

Joint Debtor(s):

Julie Anna Putney

Represented By
Jenny L Doling
Summer M Shaw

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, October 21, 2019

Hearing Room 6C

2:00 PM

6:17-18961 Joseph Edward Putney and Julie Anna Putney

Chapter 7

#2.00

Hrg. on Order to Show Cause

Re: Ming Cong Dang

(Cont. from 9:00 am calendar)

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

Ming Cong Dang is ordered to personally appear at this hearing. He may be represented by counsel but notwithstanding any representation he must appear in person.

Party Information

Debtor(s):

Joseph Edward Putney

Represented By
Jenny L Doling
Summer M Shaw

Joint Debtor(s):

Julie Anna Putney

Represented By
Jenny L Doling
Summer M Shaw

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, October 21, 2019

Hearing Room

6C

2:00 PM

8:14-16767 nuCourse Distribution, Inc.

Chapter 7

#3.00

Hearing RE: Trustee's Final Report And Application For Compensation And Reimbursement Of Expenses
(Final Report filed 9/18/19)

[RE: THOMAS H. CASEY, Chapter 7 Trustee]

[Fees: 9,268.14 (Proposed Fees: \$188.34); Expenses: \$338.84]

[RE: WEILAND GOLDEN GOODRICH, LLP - Attorneys For Chapter 7 Trustee]

[Fees: \$86,340.00 (Proposed Fees: \$1,754.53); Expenses: \$1,317.42]

[RE: HAHN FIFE & COMPANY, Accountant For Trustee]

[Fees: \$3,898.50 (Proposed Fees: \$1,949.25); Expenses: \$612.10]

[RE: INDEPENDENT MANAGEMENT SERVICES - Field Representative / Adjuster For Chapter 7 Trustee]

[Fees: \$2,325.00 (Proposed Fees: \$1,162.50); Expenses: \$367.27]

[Tele. appr., Thomas H. Casey, repr., Trustee, Thomas H. Casey]

Docket 90

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will grant and allow proposed payments as follows:

Trustee's fees: \$188.34

Trustee's expenses: \$338.84

Weiland Golden fees: \$1,754.53

Weiland Golden expenses: \$1,317.42

IMS fees: \$162.50

Bond premium: \$289.65

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, October 21, 2019

Hearing Room 6C

2:00 PM

CONT... nuCourse Distribution, Inc.

Chapter 7

Hahn Fife fees: \$1,949.25

Hahn Fife expenses: \$612.10

This is without prejudice to all applicants to re-apply in the event additional moneys come into the estate.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

nuCourse Distribution, Inc.

Represented By
Hamid R Rafatjoo

Trustee(s):

Thomas H Casey (TR)

Represented By
Beth Gaschen
Jeffrey I Golden

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, October 21, 2019

Hearing Room 6C

2:00 PM

8:15-15715 William John Murphy and Cheryl Lynn Murphy

Chapter 7

#4.00

Hearing RE: Trustee's Final Report And Applications For Compensation And Reimbursement Of Expenses
(Final Report filed 9/4/19)
(Amended Final Report filed 10/1/19)

**[RE: JEFFREY I. GOLDEN - Chapter 7 Trustee]
[Fees: \$32,395.00; Expenses: \$98.72]**

**[RE: SULMEYER KUPETZ - Attorneys For Chapter 7 Trustee]
[Fees: \$123,686.00; Expenses: \$3,203.08]**

**[RE: HAHN FIFE & COMPANY, LLP - Accountant For Chapter 7 Trustee]
[Fees: \$3,402.00; Expenses: \$400.20]**

[Tele. appr., Jeffrey I. Golden, repr., Trustee, Jeffrey I. Golden]

Docket 212

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant and allow:

Trustee's fees: \$32,395.00
Trustee's expenses: \$98.72
SulmeyerKupetz fees: \$48,039.20
SulmeyerKupetz expenses: \$457.26
Hahn Fife fees: \$3,402.00
Hahn Fife expenses; \$400

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, October 21, 2019

Hearing Room 6C

2:00 PM

CONT... William John Murphy and Cheryl Lynn Murphy

Chapter 7

Debtor(s):

William John Murphy

Represented By
Sean A OKeefe
Michael N Nicastrò

Joint Debtor(s):

Cheryl Lynn Murphy

Represented By
Sean A OKeefe

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Jason Balitzer
Steven Werth

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, October 21, 2019

Hearing Room 6C

2:00 PM

8:15-15715 William John Murphy and Cheryl Lynn Murphy

Chapter 7

#5.00

CONT'D Hearing RE: Second And Final Fee Application For Compensation And Reimbursement Of Expenses For The Period From September 1, 2018 Through August 29, 2019
(Application filed 8/29/19)
(Set per Order Entered 9/4/19)

**[RE: SULMEYERKUPETZ, A PROFESSIONAL CORPORATION - Attorneys
For Jeffrey I. Golden, Chapter 7 Trustee]
[Fees: \$29,127.50; Expenses: \$457.26]**

FR: 9-23-19

[Tele. appr., Jeffrey I. Golden, repr., Trustee, Jeffrey I. Golden]

Docket 210

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court has considered (and granted) SulfmeyerKupetz's application as part of its consideration of the Trustee's final report in the preceding matter on today's calendar.

Party Information

Debtor(s):

William John Murphy

Represented By
Sean A OKeefe
Michael N Nicastro

Joint Debtor(s):

Cheryl Lynn Murphy

Represented By
Sean A OKeefe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, October 21, 2019

Hearing Room 6C

2:00 PM

CONT... William John Murphy and Cheryl Lynn Murphy

Chapter 7

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Jason Balitzer
Steven Werth

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, October 21, 2019

Hearing Room 6C

2:00 PM

8:17-11749 Dean Lavar Corbin and Lianne Corbin

Chapter 11

#6.00

Hearing RE: Creditor Daniel Neskovic's Motion To Dismiss Chapter 11
Bankruptcy Case
(Motion filed 9/18/19)

Docket 255

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will dismiss this case effective November 21, 2019, thereby giving creditor Neskovic and the Debtors one final opportunity to resolve this matter consensually through a stipulation and order thereon.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Dean Lavar Corbin

Represented By
Michael Jones
Sara Tidd

Joint Debtor(s):

Lianne Corbin

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, October 21, 2019

Hearing Room 6C

2:00 PM

8:18-10013 Fred Asafu-Adjaye and Esther Asafu-Adjaye

Chapter 11

#7.00

Hearing RE: Application For Payment Of Interim Fees And/Or Expenses For The Period From November 12, 2018 through September 16, 2019 (Application filed 9/17/19)

[RE: LAW OFFICES OF LIONEL E. GIRON, APC - Attorney For Debtors And Debtors In Possession]

[Fees: \$16,492.50; Expenses: \$139.70]

Docket 139

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant and allow as follows on an interim basis:

Attorney's fees: \$16,492.50

Attorney's costs: \$139.70

APPLICANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Fred Asafu-Adjaye

Represented By
Lionel E Giron
Crystle Jane Lindsey
Joanne P Sanchez

Joint Debtor(s):

Esther Asafu-Adjaye

Represented By
Lionel E Giron
Crystle Jane Lindsey
Joanne P Sanchez

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, October 21, 2019

Hearing Room 6C

2:00 PM

8:19-10198 Allan Eli Gindi and Carol June Gindi

Chapter 11

#8.00

Hearing RE: Objection To Claim:
(Motion filed 9/20/19)

Claim No. 34-3 Susan Ruffalo and Richard Ruffalo \$89,000.20

[Tele. appr., Brian T. Harvey, repr., Strategic Funding - LISTEN ONLY]

Docket 223

Tentative Ruling:

APPEARANCES REQUIRED.

Debtors have introduced evidence and made legal arguments that are equal to or greater in probative force to the evidence in the Ruffalos' proof of claim. This shifts the burden of proof to the Ruffalos. The Ruffalos have failed to meet this burden. Debtors have shown the loan to be usurious.

The savings clause in the promissory note is unavailing for the Ruffalos because their collection of interest at the usurious 12 percent rate effectively nullifies the savings clause under California law and establishes the intent to collect and charge usurious interest. Blue Growth Holdings, Ltd. v. Mainstreet Ltd. Ventures, LLC, 2013 U.S. Dist. LEXIS 126352 (N.D. Cal., Sept. 4, 2013).

The Court sustains the objection.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Allan Eli Gindi

Represented By
Michael G Spector
Vicki L Schennum

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, October 21, 2019

Hearing Room 6C

2:00 PM

CONT... Allan Eli Gindi and Carol June Gindi

Chapter 11

Joint Debtor(s):

Carol June Gindi

Represented By
Michael G Spector
Vicki L Schennum
Candice Candice Bryner

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, October 21, 2019

Hearing Room 6C

2:00 PM

8:19-10198 Allan Eli Gindi and Carol June Gindi

Chapter 11

#9.00

Hearing RE: Motion For Order: (1) Authorizing Sale Of Real Property, Free And Clear Of Liens Pursuant To 11 U.S.C. Section 363(b) And (f); And (2) Approving Overbid Procedure (Motion filed 9/26/19)

[Tele. appr., Brian T. Harvey, repr., Strategic Funding - LISTEN ONLY]

Docket 232

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF
WITHDRAWAL OF MOTION FILED 10014019 - (DOCKET NO. [247])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Allan Eli Gindi

Represented By
Michael G Spector
Vicki L Schenum

Joint Debtor(s):

Carol June Gindi

Represented By
Michael G Spector
Vicki L Schenum
Candice Candice Bryner

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, October 21, 2019

Hearing Room 6C

2:00 PM

8:19-10212 Hill Concrete Structures

Chapter 11

#10.00

Hearing RE: Motion By United States Trustee To Dismiss Case Or Convert Case To One Under Chapter 7 Pursuant To 11 U.S.C. Section 1112(b) (Motion filed 9/17/19)

[Tele. appr., Catherine S. Robertson, repr., Flexible Funding]

Docket 81

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into the U.S. Trustee's current view of this matter now that the U.S. Trustee has had an opportunity to review Debtor's opposition to the motion.

Party Information

Debtor(s):

Hill Concrete Structures

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Tuesday, October 22, 2019

Hearing Room 6C

9:00 AM

8:14-11729 Richard Clark Farrell
Adv#: 8:16-01123 Naylor v. Farrell

Chapter 7

#1.00

TRIAL RE: First Amended Complaint For (1) Equitable Subordination Of Claim,
(2) Breach Of Fiduciary Duty, And
(3) Declaratory Relief
(Complaint filed 5/2/16) (First Amended Complaint filed 9/30/16)
(PTC set at S/C held 5/9/18)
(S/C set per Order Entered 5-11-18)
(PTC set at S/C held 11/14/18)
(Trial set at PTC held 7/17/19)

FR: 7-27-16; 9-14-16; 10-12-16; 12-8-16; 2-15-17; 3-6-17; 3-20-17; 6-28-17;
11-13-17; 3-28-18; 5-9-18; 11-14-18; 4-22-19; 5-29-19

Docket 19

Tentative Ruling:

APPEARANCES REQUIRED.

The trial will proceed on October 22, 2019. The session of trial scheduled for Wednesday, October 23, 2019, however, will be rescheduled.

Party Information

Debtor(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Defendant(s):

Betty Farrell

Represented By
D Edward Hays

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Tuesday, October 22, 2019

Hearing Room 6C

9:00 AM

CONT... Richard Clark Farrell

Chapter 7

Plaintiff(s):

Karen Sue Naylor

Represented By
Robert P Goe

Trustee(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 23, 2019

Hearing Room 6C

9:00 AM

8:14-11729 Richard Clark Farrell
Adv#: 8:16-01123 Naylor v. Farrell

Chapter 7

#1.00

CONT'D TRIAL RE: First Amended Complaint For (1) Equitable Subordination Of Claim,
(2) Breach Of Fiduciary Duty, And
(3) Declaratory Relief
(Complaint filed 5/2/16) (First Amended Complaint filed 9/30/16)
(PTC set at S/C held 5/9/18)
(S/C set per Order Entered 5-11-18)
(PTC set at S/C held 11/14/18)
(Trial set at PTC held 7/17/19)

FR: 7-27-16; 9-14-16; 10-12-16; 12-8-16; 2-15-17; 3-6-17; 3-20-17; 6-28-17;
11-13-17; 3-28-18; 5-9-18; 11-14-18; 4-22-19; 5-29-19; 10-22-19

Docket 19

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The balance of this trial will be rescheduled to a date to be determined.

Party Information

Debtor(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Defendant(s):

Betty Farrell

Represented By
D Edward Hays

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 23, 2019

Hearing Room 6C

9:00 AM

CONT... Richard Clark Farrell

Chapter 7

Plaintiff(s):

Karen Sue Naylor

Represented By
Robert P Goe

Trustee(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 23, 2019

Hearing Room 6C

9:00 AM

8:19-10058 Joy Omoderi Amagboruju Miles

Chapter 11

#2.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 1/7/19)

FR: 3-13-19; 8-7-19

Docket 1

***** VACATED *** REASON: CONTINUED TO OCTOBER 30, 2019 AT
9:00 A.M. PER ORDER CONTINUING STATUS CONFERENCE
ENTERED 9-27-19 (DOCKET NO. [46])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Joy Omoderi Amagboruju Miles

Represented By
Onyinye N Anyama

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 23, 2019

Hearing Room 6C

9:00 AM

8:19-10402 Sepideh Sally Cirino

Chapter 11

#3.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 case
(Petition filed 2/1/19)

FR: 4-10-19; 5-20-19; 5-29-19; 6-26-19; 8-14-19

Docket 0

***** VACATED *** REASON: OFF CALENDAR - ORDER
CONVERTING CASE TO CHAPTER 7 ENTERED 9-25-19 - (DOCKET
NO. [79])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sepideh Sally Cirino

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 23, 2019

Hearing Room 6C

10:00 AM

8:19-12796 Lorena Martinez

Chapter 7

#1.00

Hearing RE: Pro se Reaffirmation Agreement Between Debtor And Eagle
Community Credit Union
(Motion filed 9/12/19)

**[RE: 2012 Jeep Grand Cherokee-V6 - Amount: \$15,179.00]
[VIN No.: 1C4RJEAG7CC259598]**

Docket 8

***** VACATED *** REASON: CONTINUED TO OCTOBER 30, 2019 AT
10:00 A.M. PER ORDER ENTERED 9-27-19 (DOCKET NO. [11])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lorena Martinez

Represented By
Violeta Delgado

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 24, 2019

Hearing Room 225

9:00 AM

6:16-14576 USA Sales, Inc.

Chapter 11

Adv#: 6:16-01302 USA Sales, Inc. v. California State Board Of Equalization et al

#1.00

Hrg. on Plaintiff's motion for order approving compromise of claims and approving form of settlement agreement with California Department of Tax and Fee Administration

(Cont. from 8/6/19)

Docket 54

***** VACATED *** REASON: Cont. to 10/31/19 @ 9:00 a.m. - John**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

USA Sales, Inc.

Represented By
Daren M Schlecter
Rachel S Milman Esq
A. Lavar Taylor
Lisa Nelson

Defendant(s):

California State Board Of

Represented By
Ronald N Ito

California Department of Tax and

Represented By
Lisa W Chao

Movant(s):

USA Sales, Inc.

Represented By
Lisa Nelson
A. Lavar Taylor
Daren M Schlecter
Bruce A Emard

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 24, 2019

Hearing Room 225

9:00 AM

CONT... USA Sales, Inc.

Chapter 11

Plaintiff(s):

USA Sales, Inc.

Represented By
Lisa Nelson
A. Lavar Taylor
Daren M Schlecter
Bruce A Emard

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 24, 2019

Hearing Room 225

9:00 AM

6:16-14576 USA Sales, Inc.

Chapter 11

#2.00

Hrg. on Debtor's Motion for order approving compromise of claims and approving form of settlement agreement with California CDTFA of Tax and Fee Administration

(Cont. from 8/6/19)

Docket 341

*** VACATED *** REASON: Cont. to 10/31/19 @ 10:00 a.m. - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

USA Sales, Inc.

Represented By

Daren M Schlecter
Rachel S Milman Esq
A. Lavar Taylor
Lisa Nelson

Movant(s):

USA Sales, Inc.

Represented By

Daren M Schlecter
Daren M Schlecter
Rachel S Milman Esq
Rachel S Milman Esq
A. Lavar Taylor
A. Lavar Taylor
Lisa Nelson
Lisa Nelson

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 24, 2019

Hearing Room 225

10:00 AM

6:19-14571 Brittney E Salgado

Chapter 7

#1.00

Hrg. on approval of Reaffirmation Agreement filed 9/9/19 Between Debtor and Wells Fargo Bank N.A., in the amount of \$36,403.13

Re: 2019 Ford Truck Edge

Docket 11

*** VACATED *** REASON: Cont. to 10/31/19 @ 10:00 a.m. - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Brittney E Salgado

Pro Se

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 24, 2019

Hearing Room 225

10:00 AM

6:19-16021 Miguel Angel Pardo and Yukary Pardo

Chapter 7

#2.00

Hrg. on approval of Reaffirmation Agreement Between Debtors and Ford Motor Credit Company, in the amount of \$43,803.04

Re: 2017 Ford F150

Docket 21

*** VACATED *** REASON: Cont. to 10/31/19 @ 10:00 a.m. - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Miguel Angel Pardo

Represented By
Daniel King

Joint Debtor(s):

Yukary Pardo

Represented By
Daniel King

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 24, 2019

Hearing Room 225

10:00 AM

6:19-16021 Miguel Angel Pardo and Yukary Pardo

Chapter 7

#3.00

Hrg. on approval of Reaffirmation Agreement filed 9/4/19 Between Debtor and Ford Motor Credit Company LLC, in the amount of \$34,008.98

Re: 2017 Ford Explorer

Docket 18

*** VACATED *** REASON: Cont. to 10/31/19 @ 10:00 a.m. - John

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Miguel Angel Pardo

Represented By
Daniel King

Joint Debtor(s):

Yukary Pardo

Represented By
Daniel King

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 24, 2019

Hearing Room 225

10:00 AM

6:19-17123 Gail Anita Burleson

Chapter 7

#4.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and ONEMAIN FINANCIAL, in the amount of \$9,009.97

Re: 2008 Toyota Highlander

Docket 8

*** VACATED *** REASON: Continued to 10/31/19 @ 10:00 a.m. - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Gail Anita Burleson

Represented By
Marc A Duxbury

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 24, 2019

Hearing Room 225

10:00 AM

6:19-17951 Deborah Ann Jenkins

Chapter 7

#5.00

Hrg on Approval of Reaffirmation Agreement filed 9/24/19 Between Debtor and 21st Mortgage Corporation, in the amount of \$17,779.92

Re: 1976 Skyline Manufactured Home

Docket 11

*** VACATED *** REASON: Cont. to 10/31/19 @ 10:00 a.m. - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Deborah Ann Jenkins

Pro Se

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 24, 2019

Hearing Room 225

2:00 PM

6:16-14576 USA Sales, Inc.

Chapter 11

Adv#: 6:16-01302 USA Sales, Inc. v. California State Board Of Equalization et al

#1.00

Hrg. on Plaintiff's motion for order approving compromise of claims and approving form of settlement agreement with California Department of Tax and Fee Administration

(Cont. from 8/6/19)

Docket 54

***** VACATED *** REASON: Advanced to 10/24/19 @ 9:00AM - yg**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

USA Sales, Inc.

Represented By
Daren M Schlecter
Rachel S Milman Esq
A. Lavar Taylor
Lisa Nelson

Defendant(s):

California State Board Of

Represented By
Ronald N Ito

California Department of Tax and

Represented By
Lisa W Chao

Movant(s):

USA Sales, Inc.

Represented By
Lisa Nelson
A. Lavar Taylor
Daren M Schlecter
Bruce A Emard

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 24, 2019

Hearing Room 225

2:00 PM

CONT... USA Sales, Inc.

Chapter 11

Plaintiff(s):

USA Sales, Inc.

Represented By
Lisa Nelson
A. Lavar Taylor
Daren M Schlecter
Bruce A Emard

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 24, 2019

Hearing Room 225

2:00 PM

6:16-14576 USA Sales, Inc.

Chapter 11

#2.00

Hrg. on Debtor's Motion for order approving compromise of claims and approving form of settlement agreement with California CDTFA of Tax and Fee Administration

(Cont. from 8/6/19)

Docket 341

*** VACATED *** REASON: Advanced to 10/24/19 @ 9:00AM - yg

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

USA Sales, Inc.

Represented By

Daren M Schlecter
Rachel S Milman Esq
A. Lavar Taylor
Lisa Nelson

Movant(s):

USA Sales, Inc.

Represented By

Daren M Schlecter
Daren M Schlecter
Rachel S Milman Esq
Rachel S Milman Esq
A. Lavar Taylor
A. Lavar Taylor
Lisa Nelson
Lisa Nelson

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Monday, October 28, 2019

Hearing Room 225

9:00 AM

6:16-13150 Paul Gregory Katona

Chapter 7

Adv#: 6:17-01221 United States Trustee for the Central District of v. Katona et al

#2.00

TRIAL re: Complaint by United States Trustee for the Central District of California, Region 16 against Paul Gregory Katona, Gail Marie Katona. (Fee Not Required). with adversary cover sheet Nature of Suit: (41 (Objection / revocation of discharge - 727(c),(d),(e)))

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

Trial shall proceed.

Party Information

Debtor(s):

Paul Gregory Katona

Represented By
Douglas A Plazak

Defendant(s):

Gail Marie Katona

Represented By
Douglas A Plazak

Paul Gregory Katona

Represented By
Douglas A Plazak

Joint Debtor(s):

Gail Marie Katona

Represented By
Douglas A Plazak

Plaintiff(s):

United States Trustee for the Central

Represented By
Everett L Green

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Monday, October 28, 2019

Hearing Room 225

9:00 AM

CONT... Paul Gregory Katona

Chapter 7

Trustee(s):

John P Pringle (TR)

Represented By
Lynda T Bui
Rika Kido
Brianna L Frazier

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, October 28, 2019

Hearing Room 6C

9:00 AM

6:16-13150 Paul Gregory Katona

Chapter 7

Adv#: 6:17-01221 United States Trustee for the Central District of v. Katona et al

#1.00

Hrg. on U.S. Trustee's Motion filed 10/11/19 to Admit Certain Summary evidence pursuant to Federal Rule of Evidence 1006

Docket 61

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

Party Information

Debtor(s):

Paul Gregory Katona

Represented By
Douglas A Plazak

Defendant(s):

Gail Marie Katona

Represented By
Douglas A Plazak

Paul Gregory Katona

Represented By
Douglas A Plazak

Joint Debtor(s):

Gail Marie Katona

Represented By
Douglas A Plazak

Plaintiff(s):

United States Trustee for the Central

Represented By
Everett L Green

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, October 28, 2019

Hearing Room 6C

9:00 AM

CONT... Paul Gregory Katona

Chapter 7

Trustee(s):

John P Pringle (TR)

Represented By
Lynda T Bui
Rika Kido
Brianna L Frazier
Leonard M Shulman

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, October 28, 2019

Hearing Room 6C

2:00 PM

8:18-11826 Celso Ponce Ortiz

Chapter 7

#1.00

Hearing RE: Motion For An Order Reopening Chapter 7 Case To Recover Disgorgement Proceeds From Former Counsel To The Debtor And To File Motion For An Order To Show Cause Why Former Counsel To The Debtor, Ashishkumar Patel, [California Bar Number 207293] Should Not Be Referred To The Disciplinary Panel For Bankruptcy Courts For The Central District Of California Or Otherwise Disciplined Pursuant To The Courts Inherent Authority To Impose Discipline Pursuant To Local Rule 83-3.1 Of The Local Rules For The Central Of California
(Motion filed 9/13/19)

Docket 24

***** VACATED *** REASON: CONTINUED TO NOVEMBER 25, 2019
AT 2:00 P.M. PER ORDER CONTINUING HEARINGS ENTERED 10-9-19
- (DOCKET NO. [32])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Celso Ponce Ortiz

Represented By
Ashishkumar Patel

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, October 28, 2019

Hearing Room 6C

2:00 PM

8:18-11826 Celso Ponce Ortiz

Chapter 7

#2.00

Hearing RE: Motion For An Order To Show Cause Why Former Counsel To The Debtor, Ashishkumar Patel, [California Bar Number 207293] Should Not Be Referred To The Disciplinary Panel For Bankruptcy Courts For The Central District Of California Or Otherwise Disciplined Pursuant To The Courts Inherent Authority To Impose Discipline Pursuant To Local Rule 83-3.1 Of The Local Rules For The Central Of California
(Motion filed 9/16/19)

Docket 27

***** VACATED *** REASON: CONTINUED TO NOVEMBER 25, 2019
AT 2:00 P.M. PER ORDER CONTINUING HEARINGS ENTERED 10-9-19
- (DOCKET NO. [32])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Celso Ponce Ortiz

Represented By
Ashishkumar Patel

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, October 29, 2019

Hearing Room 225

9:00 AM

6:16-13150 Paul Gregory Katona

Chapter 7

Adv#: 6:17-01221 United States Trustee for the Central District of v. Katona et al

#1.00

TRIAL re: Complaint by United States Trustee for the Central District of California, Region 16 against Paul Gregory Katona, Gail Marie Katona. (Fee Not Required). with adversary cover sheet Nature of Suit: (41 (Objection / revocation of discharge - 727(c),(d),(e)))

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

Trial shall proceed.

Party Information

Debtor(s):

Paul Gregory Katona

Represented By
Douglas A Plazak

Defendant(s):

Gail Marie Katona

Represented By
Douglas A Plazak

Paul Gregory Katona

Represented By
Douglas A Plazak

Joint Debtor(s):

Gail Marie Katona

Represented By
Douglas A Plazak

Plaintiff(s):

United States Trustee for the Central

Represented By
Everett L Green

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, October 29, 2019

Hearing Room 225

9:00 AM

CONT... Paul Gregory Katona

Chapter 7

Trustee(s):

John P Pringle (TR)

Represented By
Lynda T Bui
Rika Kido
Brianna L Frazier

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Wednesday, October 30, 2019

Hearing Room 225

9:00 AM

6:16-13150 Paul Gregory Katona

Chapter 7

Adv#: 6:17-01221 United States Trustee for the Central District of v. Katona et al

#4.00

TRIAL re: Complaint by United States Trustee for the Central District of California, Region 16 against Paul Gregory Katona, Gail Marie Katona. (Fee Not Required). with adversary cover sheet Nature of Suit: (41 (Objection / revocation of discharge - 727(c),(d),(e)))

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

Trial will continue as needed.

Party Information

Debtor(s):

Paul Gregory Katona

Represented By
Douglas A Plazak

Defendant(s):

Paul Gregory Katona

Represented By
Douglas A Plazak

Gail Marie Katona

Represented By
Douglas A Plazak

Joint Debtor(s):

Gail Marie Katona

Represented By
Douglas A Plazak

Plaintiff(s):

United States Trustee for the Central

Represented By
Everett L Green

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Wednesday, October 30, 2019

Hearing Room 225

9:00 AM

CONT... Paul Gregory Katona

Chapter 7

Trustee(s):

John P Pringle (TR)

Represented By
Lynda T Bui
Rika Kido
Brianna L Frazier

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 30, 2019

Hearing Room 6C

9:00 AM

8:19-10058 Joy Omoderi Amagboruju Miles

Chapter 11

#1.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 1/7/19)

FR: 3-13-19; 8-7-19; 10-23-19

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into (1) Debtor's compliance with U.S. Trustee guidelines and requirements, and (2) why an updated status report was not filed by October 7, 2019.

Next status conference: February 19, 2020 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Joy Omoderi Amagboruju Miles

Represented By
Onyinye N Anyama

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 30, 2019

Hearing Room 6C

9:00 AM

8:19-10616 Robert Michael Elliott

Chapter 7

Adv#: 8:19-01079 Cochrane v. Elliot

#2.00

CONT'D STATUS CONFERENCE Hearing RE: First Amended Complaint To Determine Dischargeability Of Debt Under 11 U.S.C. Section 523(a) (Complaint filed 5/2/19) (First Amended Complaint filed 9/23/19)

FR: 8-7-19

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the status conference to February 26, 2020 at 9:00 a.m. to allow the Court to determine the motion to dismiss that is calendared for hearing at the end of November.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Robert Michael Elliott

Represented By
Renee Nasiri

Defendant(s):

Robert Michael Elliot

Pro Se

Plaintiff(s):

Kevin Cochrane

Represented By
Jason P. Saccuzzo
John W Cutchin

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 30, 2019

Hearing Room 6C

9:00 AM

CONT... Robert Michael Elliott

Chapter 7

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 30, 2019

Hearing Room 6C

9:00 AM

8:19-10402 Sepideh Sally Cirino

Chapter 11

#3.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 case
(Petition filed 2/1/19)

FR: 4-10-19; 5-20-19; 5-29-19; 6-26-19; 8-14-19

Docket 0

***** VACATED *** REASON: OFF CALENDAR - ORDER
CONVERTING CASE TO CHAPTER 7 ENTERED 9-25-19 - (DOCKET
NO. [79])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sepideh Sally Cirino

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 30, 2019

Hearing Room 6C

10:00 AM

8:19-12796 Lorena Martinez

Chapter 7

#1.00

CONT'D Hearing RE: Pro se Reaffirmation Agreement Between Debtor And Eagle Community Credit Union
(Motion filed 9/12/19)

**[RE: 2012 Jeep Grand Cherokee-V6 - Amount: \$15,179.00]
[VIN No.: 1C4RJEAG7CC259598]**

FR: 10-23-19

Docket 8

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Lorena Martinez

Represented By
Violeta Delgado

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 30, 2019

Hearing Room 6C

2:00 PM

8:18-10013 Fred Asafu-Adjaye and Esther Asafu-Adjaye

Chapter 11

#1.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 1/3/18)

FR: 3-7-18, 7-11-18; 10-24-18;11-14-18; 12-12-18; 5-8-19; 6-19-19; 8-14-19

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into the Debtors' compliance with U.S. Trustee guidelines and requirements.

Next status conference: February 26, 2019 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Fred Asafu-Adjaye

Represented By
Kevin Tang

Joint Debtor(s):

Esther Asafu-Adjaye

Represented By
Kevin Tang

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, October 30, 2019

Hearing Room 6C

2:00 PM

8:18-10013 Fred Asafu-Adjaye and Esther Asafu-Adjaye

Chapter 11

#2.00

Hearing RE: Confirmation Of First Amended Chapter 11 Plan Of Reorganization
(First Amended D.S. approved 8/14/19)
(Confirmation hearing set at D.S. hearing held 8/14/19)

FR: 6-19-19; 8-14-19

Docket 147

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will confirm the plan of reorganization.

The Court sets a status conference for March 11, 2020 at 9:00 a.m.

DEBTORS TO LODGE (1) FINDINGS OF FACT AND CONCLUSIONS OF LAW
SUPPORTING PLAN CONFIRMATION, AND (2) CONFIRMATION ORDER VIA
LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Fred Asafu-Adjaye

Represented By
Lionel E Giron
Crystle Jane Lindsey

Joint Debtor(s):

Esther Asafu-Adjaye

Represented By
Lionel E Giron
Crystle Jane Lindsey

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 31, 2019

Hearing Room 225

9:00 AM

6:16-14576 USA Sales, Inc.

Chapter 11

#1.00

Hrg. on Debtor's Motion filed 10/4/19 to Approve Compromise Under Rule 9019
with Unsecured Creditor Bank of America

Docket 361

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

USA Sales, Inc.

Represented By
Daren M Schlecter
Rachel S Milman Esq
A. Lavar Taylor
Lisa Nelson

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 31, 2019

Hearing Room 225

9:00 AM

6:16-14576 USA Sales, Inc.

Chapter 11

#2.00

Hrg. on Debtor's Motion filed 10/4/19 for Order approving compromise of claims and approving form of settlement agreement with unsecured creditor, American Express

Docket 363

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

USA Sales, Inc.

Represented By

Daren M Schlecter

Rachel S Milman Esq

A. Lavar Taylor

Lisa Nelson

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 31, 2019

Hearing Room 225

9:00 AM

6:16-14576 USA Sales, Inc.

Chapter 11

Adv#: 6:16-01302 USA Sales, Inc. v. California State Board Of Equalization et al

#4.00

STATUS CONFERENCE Re: Complaint to determin amount of taxes owed pursuant to Bankruptcy Code 505(A); Objection to claim of the California Board of Equalization

(Cont. from 10/10/19)

Docket 1

***** VACATED *** REASON: Cont. to 11/7/19 @ 9:00 a.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

USA Sales, Inc.

Represented By

Daren M Schlecter

Rachel S Milman Esq

A. Lavar Taylor

Lisa Nelson

Defendant(s):

California State Board Of

Represented By

Ronald N Ito

California Department of Tax and

Represented By

Lisa W Chao

Plaintiff(s):

USA Sales, Inc.

Represented By

Lisa Nelson

A. Lavar Taylor

Daren M Schlecter

Bruce A Emard

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 31, 2019

Hearing Room 225

9:00 AM

CONT... USA Sales, Inc.

Chapter 11

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 31, 2019

Hearing Room 225

9:00 AM

6:16-14576 USA Sales, Inc.

Chapter 11

#5.00

Hrg. on Application for for approval of compensation and expense reimbursement of BSW & Associates, Financial Advisor, Period: 5/20/2016 to 10/31/2019, Fees \$173,146.00, Expenses: \$1,088.88.

Docket 374

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant and allow on a final basis:

Fees: \$173,146.00

Expenses: \$1,088.88

APPLICANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

USA Sales, Inc.

Represented By

Daren M Schlecter

Rachel S Milman Esq

A. Lavar Taylor

Lisa Nelson

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 31, 2019

Hearing Room 225

9:00 AM

6:16-14576 USA Sales, Inc.

Chapter 11

#6.00

Hrg. on Application for Compensation for M. Schlecter, Debtor's Attorney,
Period: 5/20/2016 to 10/31/2019, Fees: \$122,045.00, Expenses: \$2,216.38.

Docket 376

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant and allow on a final basis:

Attorney's fees: \$122,045.00

Attorney's expenses: \$2,216.38

Taking into account the amounts previously paid on an interim basis, the Court approves payment of the remaining fee balance of \$14,595.00 and cost balance of \$207.94.

APPLICANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

USA Sales, Inc.

Represented By

Daren M Schlecter

Rachel S Milman Esq

A. Lavar Taylor

Lisa Nelson

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 31, 2019

Hearing Room 225

9:00 AM

6:16-14576 USA Sales, Inc.

Chapter 11

#7.00

Hrg. on Application for Compensation Law Offices of A. Lavar Taylor, Special Counsel, Period: 10/31/2016 to 10/31/2019, Fee: \$225,282.50, Expenses: \$1,213.40

Docket 378

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant and allow on a final basis:

Attorney's fees: \$225,282.50

Attorney's expenses: \$1,213.40

Taking into account the amounts previously paid on an interim basis, the Court approves payment of the remaining fee balance of \$140,282.50 and cost balance of \$1,213.40.

APPLICANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

USA Sales, Inc.

Represented By

Daren M Schlecter

Rachel S Milman Esq

A. Lavar Taylor

Lisa Nelson

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 31, 2019

Hearing Room 225

9:00 AM

6:16-14576 USA Sales, Inc.

Chapter 11

#8.00

Hrg. on Application for Compensation of M. Zubair Rawda, CPA, Accountant,
Period: 10/11/2016 to 10/31/2019, Fees: \$5000.00, Expenses: \$0.00.

Docket 380

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant and allow on a final basis:

Fees: \$5,000.00

Costs: \$0

APPLICANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

USA Sales, Inc.

Represented By
Daren M Schlecter
Rachel S Milman Esq
A. Lavar Taylor
Lisa Nelson

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 31, 2019

Hearing Room 225

9:00 AM

6:16-14576 USA Sales, Inc.

Chapter 11

Adv#: 6:16-01302 USA Sales, Inc. v. California State Board Of Equalization et al

#9.00

Hrg. on Plaintiff's motion for order approving compromise of claims and approving form of settlement agreement with California Department of Tax and Fee Administration

(Cont. from 10/24/19)

Docket 54

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant each of the motions in the main bankruptcy case and the pending adversary proceeding.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

USA Sales, Inc.

Represented By

Daren M Schlecter

Rachel S Milman Esq

A. Lavar Taylor

Lisa Nelson

Defendant(s):

California State Board Of

Represented By

Ronald N Ito

California Department of Tax and

Represented By

Lisa W Chao

Movant(s):

USA Sales, Inc.

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 31, 2019

Hearing Room 225

9:00 AM

CONT... USA Sales, Inc.

Chapter 11

Lisa Nelson
A. Lavar Taylor
Daren M Schlecter
Bruce A Emard

Plaintiff(s):

USA Sales, Inc.

Represented By
Lisa Nelson
A. Lavar Taylor
Daren M Schlecter
Bruce A Emard

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 31, 2019

Hearing Room 225

9:00 AM

6:16-14576 USA Sales, Inc.

Chapter 11

#10.00

Hrg. on Debtor's Motion for order approving compromise of claims and approving form of settlement agreement with California CDTFA of Tax and Fee Administration

(Cont. from 10/24/19)

Docket 341

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant each of the motions in the main bankruptcy case and the pending adversary proceeding.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

USA Sales, Inc.

Represented By

Daren M Schlecter
Rachel S Milman Esq
A. Lavar Taylor
Lisa Nelson

Movant(s):

USA Sales, Inc.

Represented By

Daren M Schlecter
Daren M Schlecter
Rachel S Milman Esq
Rachel S Milman Esq
A. Lavar Taylor
A. Lavar Taylor

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 31, 2019

Hearing Room 225

9:00 AM

CONT...

USA Sales, Inc.

Lisa Nelson

Lisa Nelson

Chapter 11

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 31, 2019

Hearing Room 225

10:00 AM

6:19-14571 Brittney E Salgado

Chapter 7

#1.00

Hrg. on approval of Reaffirmation Agreement filed 9/9/19 Between Debtor and Wells Fargo Bank N.A., in the amount of \$36,403.13

Re: 2019 Ford Truck Edge

(Cont. from 10/24/19)

Docket 11

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Brittney E Salgado

Pro Se

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 31, 2019

Hearing Room 225

10:00 AM

6:19-16021 Miguel Angel Pardo and Yukary Pardo

Chapter 7

#2.00

Hrg. on approval of Reaffirmation Agreement Between Debtors and Ford Motor Credit Company, in the amount of \$43,803.04

Re: 2017 Ford F150

(Cont. from 10/24/19)

Docket 21

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER

Party Information

Debtor(s):

Miguel Angel Pardo

Represented By
Daniel King

Joint Debtor(s):

Yukary Pardo

Represented By
Daniel King

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 31, 2019

Hearing Room 225

10:00 AM

6:19-16021 Miguel Angel Pardo and Yukary Pardo

Chapter 7

#3.00

Hrg. on approval of Reaffirmation Agreement filed 9/4/19 Between Debtor and Ford Motor Credit Company LLC, in the amount of \$34,008.98

Re: 2017 Ford Explorer

(Cont. from 10/24/19)

Docket 18

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER

Party Information

Debtor(s):

Miguel Angel Pardo

Represented By
Daniel King

Joint Debtor(s):

Yukary Pardo

Represented By
Daniel King

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 31, 2019

Hearing Room 225

10:00 AM

6:19-17123 Gail Anita Burleson

Chapter 7

#4.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and ONEMAIN FINANCIAL, in the amount of \$9,009.97

Re: 2008 Toyota Highlander

(Cont. from 10/24/19)

Docket 8

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER

Party Information

Debtor(s):

Gail Anita Burleson

Represented By
Marc A Duxbury

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, October 31, 2019

Hearing Room 225

10:00 AM

6:19-17951 Deborah Ann Jenkins

Chapter 7

#5.00

Hrg on Approval of Reaffirmation Agreement filed 9/24/19 Between Debtor and 21st Mortgage Corporation, in the amount of \$17,779.92

Re: 1976 Skyline Manufactured Home

(Cont. from 10/24/19)

Docket 11

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the agreement as not in Debtor's best interest.

COURT TO PREPARE ORDER

Party Information

Debtor(s):

Deborah Ann Jenkins

Pro Se

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Mark Wallace, Presiding
Courtroom 301 Calendar**

Thursday, October 31, 2019

Hearing Room 301

9:00 AM

6:16-14576 USA Sales, Inc.

Chapter 11

#3.00

Hrg. on Debtor's Motion for Structured Dismissal of Bankruptcy case

Docket 365

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

USA Sales, Inc.

Represented By

Daren M Schlecter

Rachel S Milman Esq

A. Lavar Taylor

Lisa Nelson

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Friday, November 1, 2019

Hearing Room 6C

11:00 AM

8:19-14127 John Alan Stacey and Kathleen Lee Stacey

Chapter 11

#1.00

CONT'D Hearing RE: Debtors And Debtors'-In-Possession Motion For Order (1) Authorizing Maintenance Of Existing Bank Accounts For A Limited Period Pursuant To 11 U.S.C. Sections 105, 345, And 363; And (2) Confirming No Cash Collateral On The Collection Of Rents (Motion filed 10/28/19) [OST Entered 10/31/19]

FR: Advanced from 11-25-19

Docket 12

Party Information

Debtor(s):

John Alan Stacey

Represented By
Richard A Marshack
David Wood

Joint Debtor(s):

Kathleen Lee Stacey

Represented By
Richard A Marshack
David Wood

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, November 4, 2019

Hearing Room 6C

9:00 AM

8:17-10047 Ronald Robert Deak and Aida Rosario Ganddini

Chapter 13

#1.00

Motion for relief from stay [Real Property]

Wilmington Trust, National Association, Not In Its Individual Capacity, But Solely
As Trustee For MFRA Trust 2016-1 vs. DEBTORS
(Motion filed 9/30/19)

[RE: 22121 Castlewood, Mission Viejo, CA 92692-4201]

Docket 65

Party Information

Debtor(s):

Ronald Robert Deak

Represented By
Thomas E Brownfield

Joint Debtor(s):

Aida Rosario Ganddini

Represented By
Thomas E Brownfield

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, November 4, 2019

Hearing Room 6C

9:00 AM

8:17-10568 Jo Mabel Arias

Chapter 7

#2.00

Motion for relief from stay [Personal Property]

Toyota Motor Credit Corporation vs. DEBTOR; And DANNA E. JARRARD, Non-Filing Co-Debtor

[RE: 2016 LEXUS CT200H - VIN No.: JTHKD5BH1G2262250]

Docket 48

Party Information

Debtor(s):

Jo Mabel Arias

Represented By
Edward T Weber

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, November 4, 2019

Hearing Room 6C

9:00 AM

8:18-10203 Phillip Barry Greer

Chapter 7

#3.00

CONT'D Motion for relief from stay [Action In Non-Bankruptcy Forum]

Chriss W. Street vs. DEBTOR
(Motion filed 10/24/18)
(Motion Reset per Order Entered 10/7/19)

**[Case Name: Street v. Greer]
[Docket Number: G055418 [OSC Case No. 30-2011-00512573]]
[Pending In: Fourth District, Division Three (Orange County)]**

FR: 11-19-18

Docket 48

Party Information

Debtor(s):

Phillip Barry Greer

Pro Se

Trustee(s):

Richard A Marshack (TR)

Represented By
James C Bastian Jr
Ryan D ODea

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, November 4, 2019

Hearing Room 6C

2:00 PM

8:18-10607 Nicole Clarisa Sadler

Chapter 7

#1.00

CONT'D Hearing RE: Debtor's Motion To Convert Case From Chapter 7 To Chapter 13 Under 11 U.S.C. Sections 706(a) Or 1112(a)
(Motion filed 8/30/19)

FR: 10-7-19

Docket 123

Party Information

Debtor(s):

Nicole Clarisa Sadler

Pro Se

Trustee(s):

Thomas H Casey (TR)

Represented By
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, November 4, 2019

Hearing Room 6C

2:00 PM

8:19-13571 Anthony Afshin Kashani

Chapter 11

#2.00

Hearing RE: Motion By United States Trustee To Dismiss Case Or Convert This Case To One Under Chapter 7 Pursuant To 11 U.S.C. Section 1112(b)
(Motion filed 10/7/19)

Docket 29

Party Information

Debtor(s):

Anthony Afshin Kashani

Represented By
Saied Kashani

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 5, 2019

Hearing Room 225

9:00 AM

6:17-17512 Douglas Craig Woodard

Chapter 7

#1.00

Hrg. on chapter 7 trustee's Motion for Order to Show Cause Why Debtor Should Not be Held in Contempt and Sanctioned for Violation of Court Order

Docket 130

***** VACATED *** REASON: Cont. to 2:00 p.m. calendar - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Douglas Craig Woodard

Pro Se

Trustee(s):

Karl T Anderson (TR)

Represented By
Leonard M Shulman
Melissa Davis Lowe

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 5, 2019

Hearing Room 225

9:00 AM

6:19-15266 Michael A. Madrid

Chapter 11

#2.00

Aldridge Pite, LLP - movant attorney

Motion for Relief from Stay

JPMorgan Chase Bank National Association vs. DEBTOR
(Motion filed 10/10/19)

Re: 23180 Gray Fox Dr, Canyon Lake, CA 92587-7532

(Tele. appr. Todd Garan, rep. movant JP Morgan Chase Bank)

Docket 37

Tentative Ruling:

APPEARANCES REQUIRED.

The parties are agreed that Debtor has equity in the subject property but disagree as to the amount of such equity. Movant has failed to meet its burden of proof under 11 U.S.C. §362(g)(1). As to adequate protection, the Court finds large portions of Movant's appraisal unreadable because of poor print quality. The motion is denied without prejudice but may not be re-filed until after January 31, 2020. The Court grants movant's request for judicial notice.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Michael A. Madrid

Represented By
Benjamin A Yrungaray

United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar

Tuesday, November 5, 2019

Hearing Room 225

9:00 AM

6:19-16494 CECILIA FERNANDEZ HERNANDEZ

Chapter 7

#3.00

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

Motion for Relief from Stay

Nissan Motor Acceptance Corporation vs. DEBTOR, Larry D. Simons, trustee
(Motion filed 10/3/19)

Re: 2018 Nissan Altima, VIN: 1N4AL3APXJC100993

(Tele. appr. Jennifer Wang, rep. creditor, Nissan)

Docket 11

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

CECILIA FERNANDEZ

Represented By
George W Williams

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 5, 2019

Hearing Room 225

9:00 AM

CONT... CECILIA FERNANDEZ HERNANDEZ

Chapter 7

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 5, 2019

Hearing Room 225

9:00 AM

6:19-17108 Brian Garoutte and Mollie Garoutte

Chapter 7

#4.00

Mary Ellmann Tang, Esq. - movant attorney

Motion for Relief from Stay

Bank of the West vs. DEBTORS
(Motion filed 10/10/19)

Re: 2019 Shadow Cruiser M-289 RBS Travel Trailer

(Tele. appr. Mary Tang, rep. creditor, Bank of the West)

Docket 9

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Brian Garoutte

Represented By
Kevin Tang

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 5, 2019

Hearing Room 225

9:00 AM

CONT... Brian Garoutte and Mollie Garoutte

Chapter 7

Joint Debtor(s):

Mollie Garoutte

Represented By
Kevin Tang

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 5, 2019

Hearing Room 225

9:00 AM

6:19-17405 Tyson Eugene Ashton

Chapter 7

#5.00

Mandelbaum & Robison LLP - movant attorney

Motion for Relief from Stay

Redlands Equity Investors, LLC vs. DEBTOR
(Motion filed 10/1/19)

Re: 830 Tri City Drive, Redlands, CA 92374

Docket 13

Tentative Ruling:

APPEARANCES REQUIRED.

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2). This motion has been filed to proceed with an unlawful detainer action. This action must go forward because the debtor's right to possess the premises must be determined. This does not change simply because a bankruptcy petition was filed.—OR --- A judgment against the debtor was entered in the unlawful detainer action prepetition. The granting of this motion will permit the movant to exercise its rights under state law with respect to the subject property.

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Tyson Eugene Ashton

Pro Se

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 5, 2019

Hearing Room 225

9:00 AM

CONT... Tyson Eugene Ashton

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 5, 2019

Hearing Room 225

9:00 AM

6:19-17796 Javier Velez and Nubia Patricia Velez

Chapter 7

#6.00

Prenovost, Normandin, Bergh & Dawe - movant attorney

Motion for Relief from Stay

Gateway One Lending & Finance vs. DEBTORS
(Motion filed 10/2/19)

Re: 2012 Honda Civic

(Tele. appr. Karel Rocha, rep. creditor, Gateway One)

Docket 11

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Javier Velez

Represented By
Michael H Colmenares

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 5, 2019

Hearing Room 225

9:00 AM

CONT... Javier Velez and Nubia Patricia Velez

Chapter 7

Joint Debtor(s):

Nubia Patricia Velez

Represented By
Michael H Colmenares

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 5, 2019

Hearing Room 225

9:00 AM

6:19-17848 Michael Solano, Jr. and Hannah E Solano

Chapter 7

#7.00

Law Offices of Austin P. Nagel - movant attorney

Motion for Relief from Stay

Toyota Motor Credit Corporation vs. DEBTORS
(Motion filed 9/26/19)

Re: 2012 Toyota Camry

(Tele. appr. Austin Nagel, rep. creditor, Toyota Motor Credit Corporation)

Docket 11

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Michael Solano Jr.

Represented By
M. Wayne Tucker

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 5, 2019

Hearing Room 225

9:00 AM

CONT... Michael Solano, Jr. and Hannah E Solano

Chapter 7

Joint Debtor(s):

Hannah E Solano

Represented By
M. Wayne Tucker

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 5, 2019

Hearing Room 225

9:00 AM

6:19-18006 Luis Antonio Martinez

Chapter 7

#8.00

Law Offices of Austin P. Nagel - movant attorney

Motion for Relief from Stay

Toyota Motor Credit Corporation vs. DEBTOR
(Motion filed 9/27/19)

Re: 2016 Toyota Corolla

(Tele. appr. Austin Nagel, rep. Toyota Motor Credit Corporation)

Docket 7

Tentative Ruling:

APPEARANCES REQUIRED.

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Luis Antonio Martinez

Represented By
Raj T Wadhvani

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 5, 2019

Hearing Room 225

9:00 AM

CONT... Luis Antonio Martinez

Chapter 7

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 5, 2019

Hearing Room 225

9:00 AM

6:19-18409 Allan Gregory Brown, Jr.

Chapter 7

#9.00

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

Motion for Relief from Stay

American Honda Finance Corporation vs. DEBTOR, Steven M. Speier, chapter 7 trustee
(Motion filed 10/8/19)

Re: 2017 HONDA ACCORD, VIN: 1HGC R2F5 XHA3 03537

(Tele. appr. Vincent V. Frounjian, rep. creditor, American Honda Finance Corp.)

Docket 8

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Allan Gregory Brown Jr.

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 5, 2019

Hearing Room 225

9:00 AM

CONT... Allan Gregory Brown, Jr.

Chapter 7

Steven A Alpert

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 5, 2019

Hearing Room 225

2:00 PM

6:18-16044 Eva Camacho

Chapter 7

#1.00

Hrg. on approval of trustee's final report and application for compensation

Docket 0

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court finds that the Applicant's requested compensation represents reasonable compensation for the services rendered in the applicable time period of the application. The compensation is approved, with Trustee's fees in the amount of \$950.00 and Trustee's expenses in the amount of \$0.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Eva Camacho

Represented By
Todd L Turoci

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 5, 2019

Hearing Room 225

2:00 PM

6:18-18403 Eddie R. Vega

Chapter 7

#2.00

Hrg. on trustee's final report and applications for compensation

Docket 0

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court finds that the Applicant's requested compensation represents reasonable compensation for the services rendered in the applicable time period of the application. The Court grants and allows Trustee's fee request, with Trustee's fees in the amount of \$1,298.18 and Trustee's expenses in the amount of \$27.80.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Eddie R. Vega

Represented By
Daniel King

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 5, 2019

Hearing Room 225

2:00 PM

6:19-10869 Humberto Ramirez and Eulogia R Ramirez

Chapter 7

#4.00

Hrg. on Chapter 7 Trustee's Motion filed 10/15/19 for Order: (1) Approving the Sale of Real Property of the Estate Pursuant to Bankruptcy Code § 363(b), Subject to Overbids, Combined With Notice of Bidding Procedures and Request for Approval of the Bidding Procedures Utilized; and (2) Granting Related Relief

Docket 33

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant Chapter 7 Trustee's motion for authority to sell real property. However, minimum bidding increments over \$22,500 shall be \$1,000 instead of \$500.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Humberto Ramirez

Represented By
M. Wayne Tucker

Joint Debtor(s):

Eulogia R Ramirez

Represented By
M. Wayne Tucker

Trustee(s):

Charles W Daff (TR)

Represented By
Lynda T Bui
Brandon J Iskander

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 5, 2019

Hearing Room 225

2:00 PM

6:19-11128 Linda Marie Garcia

Chapter 7

#5.00

Hrg. on approval of trustee's final report and application for compensation

(Tele. appr. John P. Pringle, rep. Trustee, John P. Pringle)

Docket 0

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The compensation is approved and allowed as to Applicant, John Pringle, Ch. 7 Trustee, with Trustee's fees in the amount of \$1,323.50 and expenses in the amount of \$39.60.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Linda Marie Garcia	Pro Se
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Trustee(s):

John P Pringle (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 5, 2019

Hearing Room 225

2:00 PM

6:19-13243 John Vincent Garcia and Terra Nicole Garcia

Chapter 7

#6.00

Hearing RE: Motion of United States Trustee filed 9/25/19 For an Order Disgorging Fees, Assessing Damages, And Imposing Fines Against Bankruptcy Petition Preparer Nancy Gomez-Lloyd, Paralegal, Pursuant To 11 U.S.C. 110

Docket 39

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion and order Bankruptcy Petition Preparer Nancy Gomez-Lloyd to disgorge \$250, pay fines of \$500 and damages of \$2,000.

UNITED STATES TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

John Vincent Garcia	Pro Se
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Joint Debtor(s):

Terra Nicole Garcia	Pro Se
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Trustee(s):

Steven M Speier (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 5, 2019

Hearing Room 225

2:00 PM

6:19-16597 Olga Marina Calderon de Gonzalez

Chapter 7

#7.00

Hrg. on creditor's Motion filed 9/17/19 objecting to Debtor's claim of homestead exemption pursuant to Rule 4003 of the Federal Rules of Bankruptcy Procedure and Cal. Code of Civil Proc. §704.710(c)

(Tele. appr. Lynda Bui, rep. Trustee, Lynda Bui)

(Tele. appr. Rika Kido, rep. Trustee, Lynda Bui)

Docket 29

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will deny the motion with prejudice. Movant has failed to make a sufficient showing that Debtor is not entitled to her claimed homestead exemption in the Millard Avenue property in Rialto. There is practically no discussion of bankruptcy law pertaining to exemptions in Movant's motion (or California law on homestead exemptions).

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Olga Marina Calderon de Gonzalez

Represented By
Neelamjeet K Kahlon-Pfister

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 5, 2019

Hearing Room 225

2:00 PM

6:19-17157 Warren Gary Coshow

Chapter 7

#8.00

Hrg. on Order to Show Cause why case should not be dismissed for failure to make installment payment

Docket 0

***** VACATED *** REASON: Payment received on 9/30/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Warren Gary Coshow

Pro Se

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 5, 2019

Hearing Room 225

2:00 PM

6:17-17512 Douglas Craig Woodard

Chapter 7

#9.00

Hrg. on chapter 7 trustee's Motion for Order to Show Cause Why Debtor Should Not be Held in Contempt and Sanctioned for Violation of Court Order

(Cont. from 10/15/19)

Docket 130

***** VACATED *** REASON: CONTINUED TO 12/5/2019 AT 9:00 AM -
slh**

Tentative Ruling:

Party Information

Debtor(s):

Douglas Craig Woodard

Pro Se

Trustee(s):

Karl T Anderson (TR)

Represented By
Leonard M Shulman
Melissa Davis Lowe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Tuesday, November 5, 2019

Hearing Room 6C

2:00 PM

8:19-10198 Allan Eli Gindi and Carol June Gindi

Chapter 11

#3.00

CONT'D Hearing RE: Approval Of Debtors' Chapter 11 First Amended Disclosure Statement Describing Chapter 11 First Amended Plan Of Reorganization
(D.S. Filed 8/15/19)
(First Amended D.S. filed 10/23/19)

FR: 9-25-19

(Tele. appr. Greg Campbell, rep. movant, JPMorgan Chase Bank)

(Tele. appr. Brian Harvey, rep. creditor, Strategic Funding)

Docket 257

Tentative Ruling:

APPEARANCES REQUIRED.

Objections to the disclosure statement and/or plan have been filed by JP Morgan Chase Bank, N.A. ("Chase"), Cal State LA Federal Credit Union (the "Credit Union"), Susan and Richard Ruffalo (the "Ruffalos") and Michael Totaro ("Mr. Totaro"). Stipulations between the Debtors and Chase and the Debtors and the Credit Union appear to have resolved those objections.

The Court sustains the objections of the Ruffalos with respect to the following: (1) the Disclosure Statement fails to provide sufficient information concerning the nature of the dispute between the Debtors and the Ruffalos; (2) the projections should more clearly indicate payments to the Ruffalos under the Plan; (3) the effective date of the plan should not be delayed by reason of the pendency of an appeal of the confirmation order (unless a stay pending appeal is obtained by an objecting party); and (4) the plan should set a deadline for the sale of the Sanburg Way property.

The Court overrules the Ruffalos objection regarding the continuation of the

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Tuesday, November 5, 2019

Hearing Room 6C

2:00 PM

CONT... Allan Eli Gindi and Carol June Gindi Chapter 11

automatic stay. Pursuant to 11 U.S.C. § 362(c)(2)(C), the automatic stay continues in effect in a chapter 11 case until the debtor receives (or is denied) a discharge. Here, the plan provides for the granting of a discharge at the end of the 60 month plan period. Thus, the stay remains in effect – except perhaps as to estate property that has reverted in the Debtors. *See* 11 U.S.C. § 362(c)(1) and Debtors’ Original Chapter 11 Original Plan of Reorganization at IV(H).

The Court will hear Mr. Totaro’s objections if they have not been resolved prior to the hearing.

The Court will set a deadline of October 15, 2019 for the filing and service of an amended plan and disclosure statement and a new disclosure statement hearing date of November 13, 2019 at 2:00 p.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Allan Eli Gindi

Represented By
Michael G Spector
Vicki L Schennum

Joint Debtor(s):

Carol June Gindi

Represented By
Michael G Spector
Vicki L Schennum
Candice Candice Bryner

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 6, 2019

Hearing Room 6C

9:00 AM

8:16-10045 C & W Murphy and Associates, Inc.

Chapter 7

Adv#: 8:18-01002 Kosmala v. Savannah Corp. et al

#1.00

Hearing RE: Motion For Leave To File Amended Complaint
(Motion filed 10/10/19)

Docket 30

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

C & W Murphy and Associates, Inc.	Represented By D Edward Hays
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Defendant(s):

Savannah Corp.	Pro Se
The Olivia Group	Pro Se
Reagan Industries, Inc.	Pro Se
William J Murphy and Cheryl Lynn	Represented By Sean A OKeefe
Cristen Durham	Represented By Sean A OKeefe
Jacquelyn Murphy Romero	Represented By Sean A OKeefe
Brandon Durham	Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 6, 2019

Hearing Room 6C

9:00 AM

CONT... C & W Murphy and Associates, Inc.

Chapter 7

Sean A OKeefe

Margaret Murphy

Represented By
Sean A OKeefe

Plaintiff(s):

Weneta M.A. Kosmala

Represented By
Erin P Moriarty

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Erin P Moriarty

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 6, 2019

Hearing Room 6C

9:00 AM

8:18-10203 Phillip Barry Greer

Chapter 7

Adv#: 8:18-01069 Marshack et al v. Biden

#2.00

CONT'D STATUS CONFERENCE Hearing RE: Chapter 7 Trustee's Second Amended Complaint For:

- (1) Avoidance And Recovery Of Fraudulent Transfer;
 - (2) Constructive Trust;
 - (3) Declaratory Relief;
 - (4) Turnover Of Estate Property; And
 - (5) Authorization To Sell Entirety Of Real Property
- Regarding Real Property Located At 19 Bridgeport Road, Newport Coast, California
(First Amended Complaint filed 12/14/18)
(Second Amended Complaint filed 4/10/19)

FR: 1-23-19; 2-20-19; 5-8-19; 6-10-19; 7-17-19

[Tele. appr., Ryan O'Dea, repr., Richard Marshack, Trustee]

Docket 27

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will continue the status conference to April 22, 2020 at 9:00 a.m. Pursuant to the parties' request, the Court will order this adversary proceeding into mediation. The parties shall lodge a mediation stipulation on or before December 15, 2019.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Phillip Barry Greer

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 6, 2019

Hearing Room 6C

9:00 AM

CONT... Phillip Barry Greer

Chapter 7

Defendant(s):

Arlene C Biden

Represented By
Phillip Greer

Plaintiff(s):

Richard A Marshack

Represented By
Ryan D ODea

Chriss W. Street

Represented By
Timothy C Aires

Trustee(s):

Richard A Marshack (TR)

Represented By
James C Bastian Jr
Ryan D ODea

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 6, 2019

Hearing Room 6C

9:00 AM

8:18-11759 Chester Davenport

Chapter 7

Adv#: 8:18-01155 Naylor v. Sun et al

#3.00

Hearing RE: Chapter 7 Trustee's Motion For Order Compelling JPMorgan Chase Bank, N.A. To Produce Documents Pursuant To The Chapter 7 Trustee's Document Subpoena
(Motion filed 10/10/19)

Docket 70

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the Motion for the reasons argued by the Trustee in his motion and his reply to Ms. Sun's opposition.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Chester Davenport Pro Se

Defendant(s):

Bianca Sun Pro Se

Yan Yu Sun Pro Se

Plaintiff(s):

Karen Sue Naylor Represented By
Thomas H Casey

Trustee(s):

Karen S Naylor (TR) Represented By
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 6, 2019

Hearing Room 6C

9:00 AM

8:18-11759 Chester Davenport

Chapter 7

Adv#: 8:18-01208 Eastwest Partners Investment, LLC v. Davenport

#4.00

CONT'D Hearing RE: Plaintiff's Motion For Default Judgment Under LBR
7055-1
(Motion filed 8/23/19)
(Amended Motion filed 8/26/19)

FR: 9-25-19

Docket 44

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Chester Davenport Pro Se

Defendant(s):

Chester Davenport Pro Se

Plaintiff(s):

Eastwest Partners Investment, LLC Represented By
Stella A Havkin

Trustee(s):

Karen S Naylor (TR) Represented By
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 6, 2019

Hearing Room 6C

9:00 AM

8:19-11855 Matthew Dean Goddard

Chapter 7

Adv#: 8:19-01169 Sordi et al v. Goddard et al

#5.00

STATUS CONFERENCE Hearing RE: Complaint To Determine
Dischargeability Of Debt
[Section 523(a)(2)(A) or Section 523(a)(2)(B)]

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will continue the status conference to April 15, 2020 at 9:00 a.m. to permit the parties time to file settlement documents.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Matthew Dean Goddard

Represented By
Fred Edwards

Defendant(s):

Matthew Dean Goddard

Pro Se

Laura Christine Goddard

Pro Se

Joint Debtor(s):

Laura Christine Goddard

Represented By
Fred Edwards

Plaintiff(s):

Reza Sordi

Pro Se

Shahlaw Hashimi

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 6, 2019

Hearing Room 6C

9:00 AM

CONT... Matthew Dean Goddard

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 6, 2019

Hearing Room 6C

9:00 AM

8:19-12375 South Coast Behavioral Health, Inc.

Chapter 11

Adv#: 8:19-01167 Complete Business Solutions Group, Inc. v. South Coast Behavioral Health,

#6.00

STATUS CONFERENCE Hearing RE: Complaint To Determine Ownership In
Accounts Receivable And The Proceeds
(Complaint Filed 8/8/19)

Docket 1

***** VACATED *** REASON: CONTINUED TO NOVEMBER 27, 2019
AT 9:00 A.M. PER ANOTHER SUMMONS ISSUED ON 9-3-19 - (DOCKET
NO. [5])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

South Coast Behavioral Health, Inc.

Represented By
Michael N Nicastro
Sean A OKeefe

Defendant(s):

South Coast Behavioral Health, Inc.	Pro Se
Reliable Fast Cash LLC	Pro Se
Ikhan Capital LLC,	Pro Se
Bridge Funding Capital LLC,	Pro Se
West Coast Business Capital LLC,	Pro Se
FID Funding	Pro Se
BMF Capital LLC	Pro Se

Plaintiff(s):

Complete Business Solutions Group,

Represented By
Karel G Rocha

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 6, 2019

Hearing Room 6C

9:00 AM

CONT... South Coast Behavioral Health, Inc.

Chapter 11

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 6, 2019

Hearing Room 6C

10:00 AM

8:19-12449 Diana Magally Cantuna

Chapter 7

#1.00

Hearing RE: Pro se Reaffirmation Agreement Between Debtor And SchoolsFirst Federal Credit Union (aka OCTFCU)
(Motion filed 9/19/19)

[RE: 2014 Jeep Compass - Amount: \$8,258.39]

Docket 9

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will approve the reaffirmation agreement if the vehicle is insured, Debtor is current on the loan and can make all the remaining payments, and Debtor is comfortable with a reaffirmation.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Diana Magally Cantuna	Pro Se
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Trustee(s):

Weneta M Kosmala (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 6, 2019

Hearing Room 6C

10:00 AM

8:19-12650 Carlos Mota and Nina Mota

Chapter 7

#2.00

Hearing RE: Pro se Reaffirmation Agreement Between Debtor And SchoolsFirst Federal Credit Union (aka OCTFCU)
(Motion filed 9/19/19)

[RE: 2013 Ford Flex - Amount: \$7,667.10]

Docket 10

Tentative Ruling:

APPEARANCES REQUIRED.

The reaffirmation agreement is **not** approved, as it is not in the best interest of the Debtor(s).

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Carlos Mota

Represented By
Christopher J Langley

Joint Debtor(s):

Nina Mota

Represented By
Christopher J Langley

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 6, 2019

Hearing Room 6C

10:00 AM

8:19-12650 Carlos Mota and Nina Mota

Chapter 7

#3.00

Hearing RE: Pro se Reaffirmation Agreement Between Debtor And SchoolsFirst Federal Credit Union (aka OCTFCU)
(Motion filed 9/19/19)

[RE: MasterCard SECC - Amount: \$3,220.66]

Docket 11

Tentative Ruling:

APPEARANCES REQUIRED.

The reaffirmation agreement is **not** approved, as it is not in the best interest of the Debtor(s).

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Carlos Mota

Represented By
Christopher J Langley

Joint Debtor(s):

Nina Mota

Represented By
Christopher J Langley

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 6, 2019

Hearing Room 6C

10:00 AM

8:19-12994 Charlene Oros

Chapter 7

#4.00

Hearing RE: Reaffirmation Agreement Between Debtor And American Honda Finance Corporation
(Motion filed 10/15/19)

**[RE: 2015 Honda Accord - Amount: \$14,734.37]
[VIN No.: 1HGCR2F55FA002641]**

Docket 9

Tentative Ruling:

APPEARANCES REQUIRED.

The reaffirmation agreement is **not** approved, as it is not in the best interest of the Debtor(s).

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Charlene Oros

Represented By
Daniel King

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 6, 2019

Hearing Room 6C

2:00 PM

8:19-13904 Kathy D Gorski and Michael A Gorski

Chapter 11

#1.00

CONT'D Final Hearing RE: Emergency Motion For Interim And Final Order Authorizing Debtor In Possession To Use Cash Collateral Under 11 U.S.C. Section 363(e)
(Motion filed 10/8/19)

FR: 10-15-19

[Tele. appr., John D. Ellis, repr., United States of America]

Docket 9

Tentative Ruling:

APPEARANCES REQUIRED.

(Note: The IRS is not required to appear.)

The Court will grant the Motion, subject to the terms of the Stipulation between the Debtors and the IRS.

DEBTORS TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Kathy D Gorski

Represented By
Andy C Warshaw

Joint Debtor(s):

Michael A Gorski

Represented By
Andy C Warshaw

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar

Wednesday, November 6, 2019

Hearing Room 6C

2:00 PM

8:19-12715 Andrea Mythanh Le

Chapter 13

#2.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 9-11-19; 10-9-19

[Tele. appr., William J. Serritella, repr., Providence Bank and Trust]

Docket 33

*** VACATED *** REASON: OFF CALENDAR - CASE CONVERTED
TO CHAPTER 7 ON 11-6-19 - (DOCKET NO. [38])

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Andrea Mythanh Le

Represented By
Christopher J Langley

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 6, 2019

Hearing Room 6C

2:00 PM

8:19-12721 Luis Daniel Ochoa

Chapter 13

#3.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 9-11-19

Docket 15

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL ARISING FROM DEBTOR'S REQUEST FOR
VOLUNTARY DISMISSAL - DOCKET NO. [27])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Luis Daniel Ochoa

Represented By
Anerio V Altman

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 6, 2019

Hearing Room 6C

2:00 PM

8:19-12783 Donald Louis Pearce

Chapter 13

#4.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 9-11-19; 10-9-19

Docket 20

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Donald Louis Pearce

Represented By
Christopher J Langley

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 6, 2019

Hearing Room 6C

2:00 PM

8:19-13073 Eugene Howard Long

Chapter 13

#5.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 2

Tentative Ruling:

Trustee's Comments:

11/6/10: TRUSTEE OBJECTION FILED. 1 PLAN PAYMENTS DUE. 1) RESIDUAL LISTED IN PLAN LESS THAN LIQUIDATION ANALYSIS. PLAN IS NOT PROPOSED AS 100% PERCENTAGE PLAN. IMPROPER IF HIGHER CLAIMS ARE FILED. 2) HIGHER CLAIMS FILED IN THE CASE. 3) HIGHER SECURED CLAIMS FILED.

Plan Terms:

Plan %:

Plan Duration:

Monthly Payment:

341(a) Meeting Held:

Plan Filed:

Service:

Objections:

Response to Objections:

Party Information

Debtor(s):

Eugene Howard Long

Represented By
Erika Luna

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 6, 2019

Hearing Room 6C

2:00 PM

8:19-13229 Ligia M Hallstrom

Chapter 13

#6.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 17

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Ligia M Hallstrom

Represented By
Randolph R Ramirez

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 6, 2019

Hearing Room 6C

2:00 PM

8:19-13403 Sung Kuk Lee

Chapter 13

#7.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 28

Tentative Ruling:

Trustee's Comments:

11/6/19: TRUSTEE OBJECTION FILED. 1) NEED AMENDED DECLARATION RE TAXES/DSO. DSO DECLARATION INCONSISTENT, SAYING BOTH HAS NONE AND IS CURRENT. 2) DEBTOR CLAIMS TO HAVE TRANSFERRED REAL PROPERTY TO EX-SPOUSE IN 2014 FOR NO CONSIDERATION. HOWEVER, DEBTOR RESIDES IN PROPERTY. NOT MEETING POTENTIAL LIQUIDATION IN CH 7. 3) NO PROVISION FOR CREDITORS ON DEBTOR'S PROPERTY IDENTIFIED IN PRIOR ISSUE. 4) NEED AMENDED PLAN. VEHICLE IS LOAN NOT A LEASE. 5) PLAN BOXES 1.1-1.4 NOT CHECKED. 6) PLAN SECTION RE MINIMUM DISTRIBUTION UNDER MEANS TEST IS BLANK.

Plan Terms:

Plan %:

Plan Duration:

Monthly Payment:

341(a) Meeting Held:

Plan Filed:

Service:

Objections:

Response to Objections:

Party Information

Debtor(s):

Sung Kuk Lee

Represented By
Bert Y Kawahara

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 6, 2019

Hearing Room 6C

2:00 PM

CONT... Sung Kuk Lee

Chapter 13

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 6, 2019

Hearing Room 6C

2:00 PM

8:19-13436 Scott William Gardner

Chapter 13

#8.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 20

Tentative Ruling:

Trustee's Comments:

11/6/19: TRUSTEE OBJECTION FILED. 1) PLAN APPEARS TO BE 100% BUT TYPE NOT CHECKED OFF. 2) NO PLAN PROVISION FOR SCH D LISTED LIEN ON CHECKING ACCOUNT.

Plan Terms:

Plan %:

Plan Duration:

Monthly Payment:

341(a) Meeting Held:

Plan Filed:

Service:

Objections:

Response to Objections:

Party Information

Debtor(s):

Scott William Gardner

Represented By
Richard G Heston

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 6, 2019

Hearing Room 6C

2:00 PM

8:19-13553 Narciso Lim

Chapter 13

#9.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 2

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Narciso Lim

Represented By
Kevin Tang

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar

Wednesday, November 6, 2019

Hearing Room 6C

2:00 PM

8:19-13028 Steffanie Brooks Aguilar

Chapter 13

#10.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 2

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE OF DISMISSAL ARISING FROM DEBTOR'S REQUEST FOR VOLUNTARY DISMISSAL ENTERED 9-12-19 - (DOCKET NO. [14])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Steffanie Brooks Aguilar

Represented By
Timothy McFarlin

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 6, 2019

Hearing Room 6C

2:00 PM

8:19-13037 Gerald Carroll

Chapter 13

#11.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL FOR FAILURE TO FILE SCHEDULES, STATEMENTS,
AND/OR PLAN ENTERED 8-26-19 - (DOCKET NO. [9])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Gerald Carroll

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 6, 2019

Hearing Room 6C

2:00 PM

8:19-13082 Demetrio Navarro

Chapter 13

#12.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL FOR FAILURE TO FILE SCHEDULES, STATEMENTS,
AND/OR PLAN ENETERED 8-27-19 - (DOCKET NO. [7])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Demetrio Navarro

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 6, 2019

Hearing Room 6C

2:00 PM

8:19-13096 Jay Mandel Fontenot

Chapter 13

#13.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 18

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL OF CASE FOR FILURE TO FILE INITIAL PETITION
DOCUMENTS WITHIN 72 HOURS ENTERED 8-20-19 - (DOCKET NO.
[13])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jay Mandel Fontenot

Represented By
Krystina T Tran

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar

Wednesday, November 6, 2019

Hearing Room 6C

2:00 PM

8:19-13207 Kerree Johansen

Chapter 13

#14.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 10

*** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL PURSUANT TO 11 U.S. SECTION SECTION 421(I)(1)
ENTERED 10-9-19 - (DOCKET NO. [19])

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Kerree Johansen

Represented By
William P White

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 6, 2019

Hearing Room 6C

2:00 PM

8:19-13210 Dennis Edward Berglund

Chapter 13

#15.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL FOR FAILURE TO FILE SCHEDULES, STATEMENTS,
AND/OR PLAN ENTERED 9-9-19- (DOCKET NO. [7])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Dennis Edward Berglund

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 6, 2019

Hearing Room 6C

2:00 PM

8:19-13226 Donnie R Poucher

Chapter 13

#16.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL FOR FAILURE TO FILE SCHEDULES, STATEMENTS,
AND/OR PLAN ENTERED 9-9-19 - (DOCKET NO. [16])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Donnie R Poucher

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 6, 2019

Hearing Room 6C

2:00 PM

8:19-13350 Luong Ngoc Dang

Chapter 13

#17.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: ORDER AND NOTICE OF DISMISSAL
FOR FAILURE TO FILE SCHEDULES, STATEMENTS, AND/OR PLAN
ENTERED 9-16-19 - (DOCKET NO. [10])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Luong Ngoc Dang

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 6, 2019

Hearing Room 6C

2:00 PM

8:19-13474 Mario Aguilar

Chapter 13

#18.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: ORDER AND NOTICE OF DISMISSAL
FOR FAILURE TO FILE SCHEDULES, STATEMENTS, AND/OR PLAN
ENTERED 9-24-19 - (DOCKET NO. [8])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Mario Aguilar

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 6, 2019

Hearing Room 6C

2:00 PM

8:19-13488 Gloria Perez

Chapter 13

#19.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL FOR FAILURE TO FILE SCHEDULES, STATEMENTS,
AND/OR PLAN ENTERED 9-27-19- (DOCKET NO. [9])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Gloria Perez

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 6, 2019

Hearing Room 6C

2:00 PM

8:19-13502 Lilia Margarita Lopez de Aguilera

Chapter 13

#20.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL OF CASE FOR FAILURE TO FILE INITIAL PETITION
DOCUMENTS WITHIN 72 HOURS ENTERED 9-18-19 - (DOCKET NO.
[14])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lilia Margarita Lopez de Aguilera

Represented By
Peter L Nisson

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 6, 2019

Hearing Room 6C

3:00 PM

8:18-14189 Robert Matthew Coburn and Sharon Ann Young

Chapter 13

#1.00

Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding For Failure To Make Plan Payments [11 U.S.C. 1307(c)]
(Motion filed 9/4/19)
(Opposition filed 9/30/19)

Docket 37

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant Trustee's motion to dismiss Chapter 13 proceeding.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Robert Matthew Coburn

Represented By
Heather J Canning
Michael E Clark

Joint Debtor(s):

Sharon Ann Young

Represented By
Heather J Canning
Michael E Clark

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 6, 2019

Hearing Room 6C

3:00 PM

8:18-14204 Barbara Jo O'Brien

Chapter 13

#2.00

CONT'D Hearing RE: Trustee's Verified Motion To Dismiss Case Due To Material Default Of A Plan Provision (Motion filed 6/7/19)

FR: 8-7-19; 10-9-19

Docket 35

Tentative Ruling:

APPEARANCES REQUIRED.

On October 30, 2019, the Court entered an order granting debtor's motion to modify plan or suspend plan payments. Accordingly, the Court will deny the Trustee's motion to dismiss case as moot.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Barbara Jo O'Brien

Represented By
Daniel King

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 6, 2019

Hearing Room 6C

3:00 PM

8:19-10738 Alfredo Alvarado

Chapter 13

#3.00

Hearing RE: Trustee's Verified Motion To Dismiss Case Due To Failure To Make Plan Payments
(Motion filed 10/8/19) (Opposition filed 10/10/19)

Docket 54

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF
WITHDRAWAL OF TRUSTEE'S MOTION FILED 10-31-19 - (DOCKET
NO. [57])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Alfredo Alvarado

Represented By
Norma Duenas

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 6, 2019

Hearing Room 6C

3:00 PM

8:16-13341 Jason Dalton

Chapter 13

#4.00

Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding For Failure To Complete The Plan Within Its terms [11 U.S.C. 1307(c)]
(Motion filed 10/10/19)
(Opposition filed 10/22/19)

Docket 54

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF WITHDRAWAL OF TRUSTEE'S MOTION FILED 10-23-19 - [DOCKET NO. [56])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jason Dalton

Represented By
Todd L Turoci

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, November 7, 2019

Hearing Room 225

9:00 AM

6:16-14576 USA Sales, Inc.

Chapter 11

#1.00

Hrg. on Chapter 11 Status Conference on the Plan and Disclosure Statement

(Cont. from 10/10/19)

Docket 0

***** VACATED *** REASON: Moot in light of structured dismissal of case -
jc**

Tentative Ruling:

This matter is vacated as moot (in view of structured dismissal of the bankruptcy case and adversary proceeding(s)).

Party Information

Debtor(s):

USA Sales, Inc.

Represented By

Daren M Schlecter

Rachel S Milman Esq

A. Lavar Taylor

Lisa Nelson

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, November 7, 2019

Hearing Room 225

9:00 AM

6:16-14576 USA Sales, Inc.

Chapter 11

Adv#: 6:16-01302 USA Sales, Inc. v. California State Board Of Equalization et al

#2.00

STATUS CONFERENCE Re: Complaint to determin amount of taxes owed pursuant to Bankruptcy Code 505(A); Objection to claim of the California Board of Equalization

(Cont. from 10/10/19)

Docket 1

*** VACATED *** REASON: Moot in light of structured dismissal of case -
jc

Tentative Ruling:

This matter is vacated as moot (in view of structured dismissal of the bankruptcy case and adversary proceeding(s)).

Party Information

Debtor(s):

USA Sales, Inc.

Represented By
Daren M Schlecter
Rachel S Milman Esq
A. Lavar Taylor
Lisa Nelson

Defendant(s):

California State Board Of

Represented By
Ronald N Ito

California Department of Tax and

Represented By
Lisa W Chao

Plaintiff(s):

USA Sales, Inc.

Represented By
Lisa Nelson

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, November 7, 2019

Hearing Room 225

9:00 AM

CONT...

USA Sales, Inc.

Chapter 11

A. Lavar Taylor
Daren M Schlecter
Bruce A Emard

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, November 7, 2019

Hearing Room 225

9:00 AM

6:16-15248 Murray Altman

Chapter 11

Adv#: 6:18-01121 Altman v. Shin

#3.00

PRE-TRIAL CONFERENCE re: Complaint by Murray Altman against Yun Hei Shin. (Charge To Estate). Nature of Suit: (12 (Recovery of money/property - 547 preference)),(14 (Recovery of money/property - other))

(Cont from 9/19/19)

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

This adversary proceeding is moot in view of the Court's dismissal of the main bankruptcy case.

The Court order this adversary proceeding dismissed on grounds of mootness.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

Defendant(s):

Yun Hei Shin

Represented By
Kathleen P March

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, November 7, 2019

Hearing Room 225

9:00 AM

CONT... Murray Altman

Chapter 11

Plaintiff(s):

Murray Altman

Represented By
Andrew S Bisom

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, November 7, 2019

Hearing Room 225

9:00 AM

6:17-17512 Douglas Craig Woodard

Chapter 7

Adv#: 6:19-01075 Anderson v. Woodard et al

#4.00

Hrg. on Defendant's Motion to Dismiss Adversary Proceeding for: 1) Failure to State a Claim Upon Which Relief Can be Granted; 2) Lack of Standing; and 3) Lack of Subject Matter Jurisdiction

Docket 17

*** VACATED *** REASON: CONTINUED TO 12/5/19 AT 9:00 AM - slh

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Douglas Craig Woodard

Represented By
Michael G Spector

Defendant(s):

Douglas Craig Woodard

Represented By
Michael G Spector

Blithe Partners, LLC

Represented By
Michael G Spector

Douglas C. Woodard, Jr.

Represented By
Michael G Spector

Janet M. Woodard

Represented By
Michael G Spector

Paige Educational Trust

Represented By
Michael G Spector

Trey Educational Trust

Represented By
Michael G Spector

Movant(s):

Douglas Craig Woodard

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, November 7, 2019

Hearing Room 225

9:00 AM

CONT... Douglas Craig Woodard

Chapter 7

Blithe Partners, LLC

Michael G Spector

Represented By
Michael G Spector

Plaintiff(s):

Karl T. Anderson

Represented By
Melissa Davis Lowe

Trustee(s):

Karl T Anderson (TR)

Represented By
Leonard M Shulman
Melissa Davis Lowe

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, November 7, 2019

Hearing Room 225

9:00 AM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

Adv#: 6:18-01236 Fleming, Sr v. Havasu Lakeshore Investments

#5.00

STATUS CONFERENCE re: Amended Complaint Second Amended Complaint to Determine Validity, Priority and Extent of Lien(s), for Declaratory Relief, and for Equitable Subordination by James E Till on behalf of Terry Lee Fleming Sr against Havasu Lakeshore Investments

Docket 44

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will issue a scheduling order:

1. All discovery closes August 31, 2020.
2. All discovery motions shall be heard before September 30, 2020.
3. All pretrial motions shall be heard before October 31, 2020.
4. Pretrial conference is calendared for November 12, 2020 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

Defendant(s):

Havasu Lakeshore Investments

Represented By
Martin A Eliopoulos
Gregory M. Garrison
Frederick M Reich

Plaintiff(s):

Terry Lee Fleming Sr

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, November 7, 2019

Hearing Room 225

9:00 AM

CONT...

Terry Lee Fleming, Sr

James E Till

Chapter 11

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, November 7, 2019

Hearing Room 225

9:00 AM

6:17-20091 Nanette Denise Marchand
Adv#: 6:18-01059 Banhart v. Marchand

Chapter 7

#6.00

Hrg. on PRE-TRIAL CONFERENCE re: Complaint for Denial of Discharge 11
U.S.C. §727

Docket 1

***** VACATED *** REASON: Adversary case dismissed on 7/31/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Nanette Denise Marchand

Represented By
David M Flader

Defendant(s):

Nanette Denise Marchand

Represented By
Baruch C Cohen

Plaintiff(s):

Robert Banhart

Represented By
Kyle P Kelley

Trustee(s):

John P Pringle (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, November 7, 2019

Hearing Room 225

9:00 AM

6:19-14525 Randolph Collaso

Chapter 7

Adv#: 6:19-01118 SAEEDY v. Collaso

#7.00

STATUS CONFERENCE re: Complaint by LYDA SAEEDY against Randolph Collaso. false pretenses, false representation, actual fraud)),(68 (Dischargeability - 523(a)(6), willful and malicious injury))

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will send this adversary proceeding into mediation at the parties' request in the status report.

The parties shall file a mediation stipulation and lodge an order thereon on or before December 6, 2019.

The status conference is continued to May 7, 2020 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Randolph Collaso

Represented By
Richard G Heston

Defendant(s):

Randolph Collaso

Represented By
Richard G Heston

Plaintiff(s):

LYDA SAEEDY

Represented By
Michael Jones

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, November 7, 2019

Hearing Room 225

9:00 AM

CONT... Randolph Collaso

Chapter 7

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, November 7, 2019

Hearing Room 225

9:00 AM

6:19-16352 Silver Lakes Resort Lodge Interval Owners Associat

Chapter 11

#8.00

Hrg. on Chapter 11 Status Conference

(Cont. from 9/12/19)

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into Debtor's compliance with U.S. Trustee's guidelines and requirements. The Court will set a deadline of September 30, 2020 for filing a plan and disclosure statement and a deadline of December 31, 2020 for confirming a chapter 11 plan. The next schedule conference is scheduled for February 27, 2020 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Silver Lakes Resort Lodge Interval

Represented By
Teresa A. Blasberg

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, November 7, 2019

Hearing Room 225

9:00 AM

6:19-17552 RVT Inc

Chapter 11

#9.00

Hrg. on Chapter 11 Status Conference

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into Debtor's compliance with United States Trustee guidelines and requirements. The Court will set a deadline of September 30, 2020 for filing a plan and disclosure statement and a deadline of December 31, 2020 for confirming a chapter 11 plan. The next status conference is scheduled for February 20, 2020 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

RVT Inc

Represented By
Julie J Villalobos

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, November 7, 2019

Hearing Room 225

9:00 AM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

Adv#: 6:17-01273 Havasu Lakeshore Investments v. Fleming, Jr et al

#9.10

STATUS CONFERENCE Hearing RE: lawsuit pending in State Court to
Bankruptcy Court
(Notice of Removal filed 12/13/17)

**[RE: Superior Court Of The State Of California For The County Of Orange,
Case No 30-2015-00805846-CU-FRCJC]
[Case: Havasu Lakeshore Investments, LLC v. Terry L. Fleming, Sr. et al.,]**

(Tele. appr. Martin Eliopulos, rep. Havasu)

(Cont. from 6/7/18)

Docket 0

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will set the pretrial conference in this adversary proceeding for February 20, 2020 at 9:00 a.m. Compliance with LBR 7016-1(b)(2)(E) is excused. At the pretrial conference on February 20, any interested party may argue that this adversary proceeding should be stayed until the completion of Debtor's plan of reorganization. Briefs on this issue are due January 15, 2020 and responses are due February 1, 2020.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

Defendant(s):

Terry Lee Fleming Jr

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, November 7, 2019

Hearing Room 225

9:00 AM

CONT... Terry Lee Fleming, Sr

Chapter 11

Michael B Reynolds
James E Till

Patricia Wilson-Fleming

Represented By
Randall S Waier

Havasu Landing LLC

Represented By
Michael B Reynolds
James E Till

Terry Lee Fleming Sr

Represented By
James E Till
Michael B Reynolds

Plaintiff(s):

Havasu Lakeshore Investments

Represented By
Martin A Eliopulos

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, November 7, 2019

Hearing Room 225

10:00 AM

6:19-16604 Stephen Jonathan Tate

Chapter 7

#1.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and Ally Bank, in the amount of \$31,720.67

Re: 2018 GMC Canyon

Docket 9

Tentative Ruling:

APPEARANCES REQUIRED.

The reaffirmation agreement is **not** approved, as it is not in the best interest of the Debtor(s).

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Stephen Jonathan Tate

Pro Se

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, November 7, 2019

Hearing Room 225

10:00 AM

6:19-17322 Armando Castillo

Chapter 7

#2.00

Hrg. on approval of Reaffirmation Agreement filed 9/27/19 between Debtor and U.S. Bank National Association, in the amount of \$2715.25

Re: 2010 Mercedes-Benz

Docket 16

Tentative Ruling:

APPEARANCES REQUIRED.

The reaffirmation agreement is approved provided that the loan is current, vehicle is insured and debtor is comfortable with a reaffirmation.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Armando Castillo

Pro Se

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, November 7, 2019

Hearing Room 225

10:00 AM

6:19-18522 Veronica A Hernandez

Chapter 7

#3.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and CEFCU, in the amount of \$2422.74

Re: 2010 Toyota Rav4

Docket 11

Tentative Ruling:

APPEARANCES REQUIRED.

The reaffirmation agreement is approved.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Veronica A Hernandez

Pro Se

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, November 7, 2019

Hearing Room 225

2:00 PM

6:16-15248 Murray Altman

Chapter 11

#1.00

Hrg. on Chapter 11 Status Conference

(Cont. from 9/19/19)

Docket 1

***** VACATED *** REASON: Case Dismissed on 10/10/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, November 7, 2019

Hearing Room 225

2:00 PM

6:16-15248 Murray Altman

Chapter 11

Adv#: 6:16-01167 Shin v. Altman

#2.00

STATUS CONFERENCE re: Complaint by Yun Hei Shin against Murray Altman. fraud as fiduciary, embezzlement, larceny)),(68 (Dischargeability - 523(a)(6), willful and malicious injury))

(Cont. from 8/15/19)

(To be heard in Santa Ana. No video connection required)

Docket 1

*** VACATED *** REASON: Main Case Dismissed on 10/31/19 - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

Defendant(s):

Murray Altman

Represented By
Andrew S Bisom
Kathleen P March

Plaintiff(s):

Yun Hei Shin

Represented By
Kathleen P March
Andrew S Bisom

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, November 7, 2019

Hearing Room 225

2:00 PM

6:19-17552 RVT Inc

Chapter 11

#3.00

Hrg. on Failure to File Corporate Resolution

Docket 0

***** VACATED *** REASON: Corporate Resolution filed - jc**

Tentative Ruling:

Party Information

Debtor(s):

RVT Inc

Represented By
Julie J Villalobos

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 12, 2019

Hearing Room 225

9:00 AM

6:19-15965 Marcus Jermaine Sanders and Shanbie Lashawn Sanders

Chapter 7

#1.00 Burr & Forman LLP - movant attorney

Motion for Relief from Stay

Exeter Finance LLC vs. DEBTORS
(Motion filed 10/17/19)

Re: 2012 BMW 740

(Tele. appr. Alan Leeth, rep. Exeter Finance, LLC)

Docket 15

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

Party Information

Debtor(s):

Marcus Jermaine Sanders

Represented By
Neil R Hedtke

Joint Debtor(s):

Shanbie Lashawn Sanders

Represented By
Neil R Hedtke

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 12, 2019

Hearing Room 225

9:00 AM

CONT... Marcus Jermaine Sanders and Shanbie Lashawn Sanders

Chapter 7

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 12, 2019

Hearing Room 225

9:00 AM

6:19-16093 Brian Kon

Chapter 7

#2.00 Treder & Weiss, LLP - movant attorney

Motion for Relief from Stay

USAA Federal Savings Bank vs. DEBTOR
(Motion filed 10/18/19)

RE: 45446 7th St., Big Bear City, CA 92314

(Tele. appr. Darlene Vigil, rep. USAA Federal Savings Bank)

Docket 11

Tentative Ruling:

APPEARANCES REQUIRED.

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) only.

Party Information

Debtor(s):

Brian Kon

Represented By
Paul Y Lee

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 12, 2019

Hearing Room 225

9:00 AM

6:19-16573 Vincent Machado

Chapter 7

#3.00 Reid & Manee LLP - movant attorney

Motion for Relief from Stay

Frances Machado vs. DEBTOR

(Motion filed 9/24/19)

(Cont. from 10/15/19)

Re: ACTION IN NON-BANKRUPTCY FORUM RE: marital dissolution claims

(Tele. appr. Lynda Bui, rep. Trustee, Lynda Bui)

Docket 12

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the parties' request to continue the hearing on motion for relief from stay, to a date to be determined.

The parties shall select a hearing date from the Court's available hearing dates calendar for the motion and file a pleading continuing the hearing, or file a stipulation and lodge an order thereon for the record.

Party Information

Debtor(s):

Vincent Machado

Represented By
C Scott Rudibaugh

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 12, 2019

Hearing Room 225

9:00 AM

6:19-17194 Tamisha Lasha McNeely-Richardson

Chapter 7

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

Motion for relief from stay

Santander Consumer USA Inc. vs. DEBTOR, Robert Whitmore, trustee
(Motion filed 10/8/19)

Re: 2015 Mitsubishi Mirage, VIN: ML32A3HJ9FH035704

(Tele. appr. Sheryl Ith, rep. creditor, Santander)

Docket 13

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

Party Information

Debtor(s):

Tamisha Lasha McNeely-Richardson Pro Se

Trustee(s):

Robert Whitmore (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 12, 2019

Hearing Room 225

9:00 AM

6:19-17397 Aung Zaw Moe

Chapter 7

#5.00

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

Motion for Relief from Stay

TD Auto Finance LLC vs. DEBTOR, Larry D. Simons, trustee
(Motion filed 10/16/19)

Re: 2017 Cadillac ATS, VIN:1G6AB5RX6H0118595

(Tele. appr. Sheryl Ith, rep. creditor, TD Auto Finance)

Docket 15

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

Party Information

Debtor(s):

Aung Zaw Moe

Represented By
Keith Q Nguyen

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 12, 2019

Hearing Room 225

9:00 AM

6:19-18389 Bertha Eva Briones

Chapter 7

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

Motion for Relief from Stay

American Honda Finance Corporation vs. DEBTOR, Karl T. Anderson, chapter 7 trustee
(Motion filed 10/14/19)

Re: 2019 HONDA CIVIC, VIN: 2HGF C4B8 2KH3 00652

Docket 7

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

Party Information

Debtor(s):

Bertha Eva Briones

Represented By
Edgar P Lombera

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 12, 2019

Hearing Room 225

2:00 PM

6:17-20442 Timothy David Murphy

Chapter 7

#1.00 Hrg. on chapter 7 trustee's Motion filed 8/21/19 for order approving compromise of controversy

Docket 144

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire whether Mr. Timothy Murphy produced the vehicles for inspection on or about October 18, 2019.

Party Information

Debtor(s):

Timothy David Murphy

Represented By
Timothy D Murphy
Patricia A Mireles

Trustee(s):

Lynda T. Bui (TR)

Represented By
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 12, 2019

Hearing Room 225

2:00 PM

6:18-14098 Monica Del Cano

Chapter 7

#2.00 Hrg. on chapter 7 Trustee's Motion filed 10/18/19 For An Order (1) Approving Sale Of The Estate's Interest In Real Property Free and Clear Of Interests Under 11 U.S.C. Section 363(f); (2) Approving The Proposed Overbid Procedure; and (3) Determining That Buyers Are Entitled To Section 363(m) Protection

Docket 50

***** VACATED *** REASON: Cont. to 11/26/19 @ 2:00 p.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Monica Del Cano

Represented By
William Radcliffe

Trustee(s):

Karl T Anderson (TR)

Represented By
Lovee D Sarenas

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 12, 2019

Hearing Room 225

2:00 PM

6:19-18367 Affordable Auto Repair, Inc.

Chapter 11

#3.00 Hrg. on Debtor's motion 10/8/19 Motion (1) Authorizing and approving use of cash management system, (2) Authorizing use of certain pre-petition bank accounts, (3) Authorizing payment of pre-petition costs and fees associated with customer credit card transactions, (4) Waiving the requirements of 11 U.S.C. 345(b) on an interim basis and (5) Granting certain related relief

Docket 16

Tentative Ruling:

APPEARANCES REQUIRED.

Grant.

The Court will inquire whether the retention of existing bank accounts, even for a brief period, will subject Debtor to adverse cash sweeps by its prepetition lenders (or, alternatively, whether such lenders have already committed to ending such cash sweeps).

Party Information

Debtor(s):

Affordable Auto Repair, Inc.

Represented By
Michael Jones

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 13, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

#1.00

CONT'D STATUS CONFERENCE RE: (1) Status Of Chapter 11 Case; And (2) Requiring Report On Status Of Chapter 11 case (Petition filed 11/1/15)

FR: 1-13-16; 3-2-16; 4-13-16; 7-27-16; 12-7-16; 4-19-17; 8-30-17; 12-13-17; 4-9-18; 8-1-18; 11-14-18; 4-8-19; 8-12-19

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into the Debtors' compliance with U.S. Trustee guidelines and requirements. Generally speaking, the Court is satisfied with the efforts of the parties to move this case toward resolution on multiple fronts.

Next status conference: April 15, 2020 at 9:00 a.m.
Updated status report is due April 1, 2020.

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green
Caroline Djang
Scott D Fink
Reed M Mercado

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 13, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01209 Official Committee Of Unsecured Creditors v. Case Paper Co., Inc.

#2.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint For Avoidance
And Recovery Of Preferential Transfers Pursuant To 11 U.S.C. Sections 547
And 550
(Complaint filed 10/26/17)

FR: 4-4-18; 12-12-18; 3-27-19; 10-9-19

Docket 1

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF
DISMISSAL WITH PREJUDICE FILED 8-19-19 (DOCKET NO. [16])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green
Caroline Djang
Scott D Fink
Reed M Mercado

Defendant(s):

Case Paper Co., Inc.

Pro Se

Plaintiff(s):

Official Committee Of Unsecured

Represented By
Andrew W Caine
Jeffrey P Nolan

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 13, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01213 Official Committee Of Unsecured Creditors v. United Information Services,

#3.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint For Avoidance
And Recovery Of Preferential Transfers Pursuant To 11 U.S.C. Sections 547
And 550
(Complaint filed 10/26/17)

FR: 4-4-18; 12-12-18; 3-27-19; 10-9-19

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER APPROVING
STIPULATION OF DISMISSAL WITH PREJUDICE ENTERED 9-25-19 -
(DOCKET NO. [25])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green
Caroline Djang
Scott D Fink
Reed M Mercado

Defendant(s):

United Information Services, Inc.

Represented By
David B Golubchik

Sourcehov LLC

Represented By
David B Golubchik

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 13, 2019

Hearing Room 6C

9:00 AM

CONT... Freedom Communications, Inc.

Chapter 11

Plaintiff(s):

Official Committee Of Unsecured

Represented By
Andrew W Caine
Jeffrey P Nolan

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 13, 2019

Hearing Room 6C

9:00 AM

8:15-15715 William John Murphy

Chapter 7

Adv#: 8:16-01147 Vohne Liche Kennels, Inc. et al v. Murphy et al

#4.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For
Nondischargeability Of Debt Pursuant To 11 U.S.C. Sections 523(a)(2)(A), And
(a)(6) And 727(a)(3), (a)(4), (a)(5) And (a)(7)
Complaint filed 6/7/16
(S/C set per Order Entered 6-23-17 - Docket No. [39])

FR: 8-24-16; 2-13-17; 9-20-17, 12-6-17, 7-11-18; 12-12-18; 7-17-19

Docket 1

***** VACATED *** REASON: CONTINUED TO MAY 13, 2020 AT 9:00
A.M. PER ORDER APPROVING STIPULATION TO CONTINUE STATUS
CONFERENCE ENTERED 10-25-19 - (DOCKET NO. [66])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

William John Murphy

Represented By
D Edward Hays

Defendant(s):

William John Murphy

Represented By
D Edward Hays

Cheryl Lynn Murphy

Represented By
D Edward Hays

Joint Debtor(s):

Cheryl Lynn Murphy

Represented By
D Edward Hays

Plaintiff(s):

Vohne Liche Kennels, Inc.

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 13, 2019

Hearing Room 6C

9:00 AM

CONT... William John Murphy

Chapter 7

Neal Salisian
Ashleigh A Danker

VLK Risk Consultants, Inc.

Represented By
Ashleigh A Danker
Neal Salisian

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Jason Balitzer

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 13, 2019

Hearing Room 6C

9:00 AM

8:16-10045 C & W Murphy and Associates, Inc.

Chapter 7

Adv#: 8:18-01002 Kosmala v. Savannah Corp. et al

#5.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Avoidance Of Fraudulent Transfers (11 U.S.C. Section 548, And/Or Section 544); Avoidance Of Preferential Transfers (11 U.S.C. Section 547); And Conversion (Complaint filed 1/5/18)
(Another Summons issued 3/8/18)

FR: 3-28-18; 5-30-18; 12-12-18; 1-23-19; 7-17-19

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into the status of the parties' efforts to resolve this matter consensually.

Next status conference: May 13, 2020 at 9:00 a.m. with an updated status report due April 30, 2020.

Party Information

Debtor(s):

C & W Murphy and Associates, Inc.	Represented By D Edward Hays
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Defendant(s):

Savannah Corp.	Pro Se
The Olivia Group	Pro Se
Reagan Industries, Inc.	Pro Se
William J Murphy and Cheryl Lynn	Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 13, 2019

Hearing Room 6C

9:00 AM

CONT... C & W Murphy and Associates, Inc.

Chapter 7

Cristen Durham	Pro Se
Jacquelyn Murphy Romero	Pro Se
Brandon Durham	Pro Se
Margaret Murphy	Pro Se

Plaintiff(s):

Weneta M.A. Kosmala	Represented By Erin P Moriarty
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Trustee(s):

Weneta M Kosmala (TR)	Represented By Erin P Moriarty
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 13, 2019

Hearing Room 6C

9:00 AM

8:16-10045 C & W Murphy and Associates, Inc.

Chapter 7

Adv#: 8:18-01004 Kosmala v. First Farmers Bank & Truste Co. et al

#6.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Declaratory Relief; Avoidance Of Lien (11 U.S.C. Section 544, And/Or Section 548); Accounting; And Objection To Claim (11 U.S.C. Section 502) (Complaint filed 1/5/18) (Another Summons issued 5/8/18)

FR: 5=30-18; 7-25-18; 12-12-18; 7-17-19

Docket 1

***** VACATED *** REASON: CONTINUED TO MAY 13, 2020 AT 9:00 A.M. PER ORDER APPROVING STIPULATION ENTERED 10-17-19 - (DOCKET NO. [37])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

C & W Murphy and Associates, Inc.	Represented By D Edward Hays
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Defendant(s):

First Farmers Bank & Truste Co.	Pro Se
Vohne Liche Kennels, Inc.	Pro Se
VLK Risk Consultants, Inc.	Pro Se

Plaintiff(s):

Weneta M.A. Kosmala	Represented By Erin P Moriarty
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 13, 2019

Hearing Room 6C

9:00 AM

CONT... C & W Murphy and Associates, Inc.

Chapter 7

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Erin P Moriarty

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 13, 2019

Hearing Room 6C

9:00 AM

8:17-10265 Ralph E Sanders

Chapter 7

Adv#: 8:17-01068 Pette v. Sanders

#7.00

Hearing RE: Motion For Entry Of Final Judgment On False Oath Claim
Pursuant To FRCP 54(b)
(Motion filed 10/8/19)

Docket 99

***** VACATED *** REASON: OFF CALENDAR - ORDER GRANTING
DEBTOR-DEFENDANT'S FRCP 54(b) MOTION ENTERED 10-18-19 -
(DOCKET NO. [101])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Ralph E Sanders

Pro Se

Defendant(s):

Ralph E Sanders

Represented By
Gregory L Bosse

Plaintiff(s):

Larnita Pette

Pro Se

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 13, 2019

Hearing Room 6C

9:00 AM

8:18-10905 Michael William Devine
Adv#: 8:18-01121 Getson et al v. Devine

Chapter 7

#8.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint To Determine The Dischargeability Of Debt Pursuant To 11 U.S.C. Section 523(a)(2)(a) Complaint filed 6/29/18)
(PTC set at S/C held 3/13/19)

FR: 9-19-18; 3-13-19, 6-19-19

Docket 1

***** VACATED *** REASON: CALENDARED IN ERROR (STATUS CONFERENCE CONTINUED TO DECEMBER 18, 2019 AT 9:00 A.M. - (DOCKET NO. [16])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael William Devine

Represented By
Christopher J Langley

Defendant(s):

Michael William Devine

Pro Se

Plaintiff(s):

Lisa Getson

Represented By
Mitchell B Hannah

Todd Lansinger

Represented By
Mitchell B Hannah

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 13, 2019

Hearing Room 6C

9:00 AM

8:18-11759 Chester Davenport

Chapter 7

Adv#: 8:18-01155 Naylor v. Sun et al

#9.00

Hearing RE: Motion Of Defendant Yan Yu Sun In Opposition To Plaintiff's Subpoena For Bank Records
(Motion filed 10/7/19)

Docket 67

Tentative Ruling:

APPEARANCES NOT REQUIRED.

Pursuant to LBR 9013-1(j)(3), the Court will dispense with oral argument on this matter. The Court denies the motion with prejudice for the reasons argued by the Chapter 7 Trustee in his opposition to the motion, namely mootness and movant's lack of standing.

Party Information

Debtor(s):

Chester Davenport	Pro Se
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Defendant(s):

Bianca Sun	Pro Se
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Yan Yu Sun	Pro Se
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Plaintiff(s):

Karen Sue Naylor	Represented By Thomas H Casey
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Trustee(s):

Karen S Naylor (TR)	Represented By Thomas H Casey
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 13, 2019

Hearing Room 6C

9:00 AM

8:18-11792 Modern VideoFilm, Inc.

Chapter 11

#10.00

CONT'D Hearing RE: Approval Of Debtor's Disclosure Statement
Accompanying Debtor's First Amended Chapter 11 Plan
(D.S. filed 6/5/19)

FR: 7-17-19

Docket 168

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the Disclosure Statement hearing to February 19, 2020 at
2:00 p.m.

Party Information

Debtor(s):

Modern VideoFilm, Inc.

Represented By
Garrick A Hollander
Andrew B Levin
Peter W Lianides

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 13, 2019

Hearing Room 6C

9:00 AM

8:18-11792 Modern VideoFilm, Inc.

Chapter 11

#11.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Chapter 11 Petition filed on 5/16/18)

FR: 7-25-18; 11-14-18; 2-27-19; 7-10-19; 7-17-19 at 9:00 a.m.; 7-17-19

Docket 0

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the Status Conference to February 19, 2020 at 2:00 p.m. with an updated status report due February 5, 2020.

Party Information

Debtor(s):

Modern VideoFilm, Inc.

Represented By
Garrick A Hollander

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 13, 2019

Hearing Room 6C

9:00 AM

8:18-11792 Modern VideoFilm, Inc.

Chapter 11

Adv#: 8:18-01084 Modern VideoFilm, Inc. v. Barkat et al

#12.00

CONT'D STATUS CONFERENCE Hearing RE: First Amended Complaint For Judgment:

- (1) Compelling Turnover Of Estate Property;
 - (2) For Conversion
 - (3) Avoiding Fraudulent Transfers;
 - (4) Recovering Avoided Transfers;
 - (5) Breach of Fiduciary Duty/Defalcation; And;
 - (6) Injunctive Relief
- (Complaint filed 5/16/18)
(First Amended Complaint filed 6-5-18)
(Another Summons issued 6/6/18)

FR: 8-8-18; 8-29-18; 6-19-19; 8-21-19

Docket 1

***** VACATED *** REASON: CONTINUED TO JUNE 17, 2020 AT 9:00
A.M. PER ORDER APPROVING IN PART STIPULATION TO
CONTINUE DEADLINES AND SCHEDULED HEARINGS ENTERED 8-8
-19 - (DOCKET NO. [145])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Modern VideoFilm, Inc.

Represented By
Garrick A Hollander

Defendant(s):

Moshe Barkat

Pro Se

Modern VideoFilm Holdings, LLC

Pro Se

Sidan Engineering, L.P.

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 13, 2019

Hearing Room 6C

9:00 AM

CONT... Modern VideoFilm, Inc.

Chapter 11

Sivan Barkat Sherman

Pro Se

Danielle Barkat Turner

Pro Se

Deborah Barkat

Pro Se

Plaintiff(s):

Modern VideoFilm, Inc.

Represented By
Garrick A Hollander

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 13, 2019

Hearing Room 6C

9:00 AM

8:19-11375 SoCal REO Acquisitions Group LLC

Chapter 11

#13.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 4/15/19)

FR: 6-19-19

Docket 1

***** VACATED *** REASON: CONTINUED TO NOVEMBER 13, 2019
AT 2:00 P.M. PER ORDER CONSOLIDATING HEARINGS ENTERED 11-
7-19 - (DOCKET NO. [50])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

SoCal REO Acquisitions Group LLC

Represented By
Nima S Vokshori

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 13, 2019

Hearing Room 6C

9:00 AM

8:19-12375 South Coast Behavioral Health, Inc.

Chapter 11

Adv#: 8:19-01158 South Coast Behavioral Health, Inc. v. Reliable Fast Cash, LLC et al

#14.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For:

- (1) Declaratory Relief;
- (2) Usury;
- (3) Avoidance Of Preferential Transfers;
- (4) Avoidance Of Fraudulent Transfers;
- (5) Recovery Of Preferential And Fraudulent Transfers;
- (6) Fraud;
- (7) Ratcheering (18 U.S.C. Section 1962)

AND Hearing RE: Status Conference Hearing RE: Counter-Claim
(Complaint filed 7/30/10)
(Counter-Claim filed 8/30/19)

FR: 10-6-19

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will issue a scheduling order to provide as follows:

All discovery closes May 31, 2020.

All discovery motions shall be heard before June 30, 2020.

All pretrial motion shall be heard before July 31, 2020.

Pretrial conference is set for August 12, 2020 at 9:00 a.m.

Mediation stipulation, if any, shall be filed, and an order lodged thereon, on or before December 15, 2019.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 13, 2019

Hearing Room 6C

9:00 AM

CONT... South Coast Behavioral Health, Inc.

Chapter 11

Debtor(s):

South Coast Behavioral Health, Inc.

Represented By
Michael N Nicaastro
Sean A OKeefe

Defendant(s):

Reliable Fast Cash, LLC

Pro Se

Mendl Chanin

Pro Se

Plaintiff(s):

South Coast Behavioral Health, Inc.

Represented By
Sean A OKeefe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 13, 2019

Hearing Room 6C

9:00 AM

8:19-10212 Hill Concrete Structures

Chapter 11

#15.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 1/18/19)

FR: 3-20-19; 6-19-19

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into compliance with U.S. Trustee guidelines and requirements.

Next status conference: March 25, 2020 at 9:00 a.m.

Party Information

Debtor(s):

Hill Concrete Structures

Represented By
Michael Jones

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 13, 2019

Hearing Room 6C

2:00 PM

8:19-10058 Joy Omoderi Amagboruju Miles

Chapter 11

#1.00

Hearing RE: Motion For Approving Individual Disclosure Statement In Support
Of Debtor's Plan Of Reorganization
(Motion filed 9/30/19)
(D.S. filed 9/30/19)

Docket 50

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will disapprove the Disclosure Statement for the reasons it will indicate at the hearing and set a new disclosure statement hearing for January 29, 2020 at 2:00 p.m. An amended disclosure statement shall be filed and served on or before December 20, 2019.

Party Information

Debtor(s):

Joy Omoderi Amagboruju Miles

Represented By
Onyinye N Anyama

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 13, 2019

Hearing Room 6C

2:00 PM

8:19-11375 SoCal REO Acquisitions Group LLC

Chapter 11

#2.00

Hearing RE: Disclosure Statement Describing Debtor's Plan Of Reorganization
(D.S. filed 11/7/19)

Docket 39

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will sustain the objection of the County of San Diego: 18% interest is required and, additionally, the County's tax claim must be paid in full within 60 months from the April 2019 petition date. The Court agrees with U.S. Bank that the plan is patently non-confirmable.

The Court will disapprove the disclosure statement and continue the disclosure statement hearing to January 29, 2020 at 2:00 p.m.

Debtor shall file a first amended disclosure statement on or before December 10, 2019. Objections to the amended disclosure statement are due January 10, 2020.

Alternatively, Debtor or any interested party may file a motion to convert this case to chapter 7 or to dismiss it.

Party Information

Debtor(s):

SoCal REO Acquisitions Group LLC

Represented By
Nima S Vokshori
Henry D Paloci

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 13, 2019

Hearing Room 6C

2:00 PM

8:19-11375 SoCal REO Acquisitions Group LLC

Chapter 11

#3.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 4/15/19)

FR: 6-19-19; 11-13-19 at 9:00 a.m.

Docket 1

Tentative Ruling:

The Court will inquire into the Debtor's compliance with U.S. Trustee guidelines and requirements.

Next Status Conference: To be determined.

Party Information

Debtor(s):

SoCal REO Acquisitions Group LLC

Represented By
Nima S Vokshori

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, November 14, 2019

Hearing Room 225

9:00 AM

6:17-13682 Mary Ann Gilmore

Chapter 7

Adv#: 6:17-01271 United States Trustee for the Central District of v. Ashcraft et al

#1.00

PRE-TRIAL CONFERENCE re: Complaint for Disgoregement of Fees, Civil Penalties, Sanctions, and Declaratory, Injunctive, and other relief

(Cont. from 8/8/19)

Docket 0

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will vacate the hearing in view of judgment entered 8/16/19.

Party Information

Debtor(s):

Mary Ann Gilmore

Represented By
Patricia M Ashcraft

Defendant(s):

Patricia M Ashcraft

Represented By
Todd L Turoci

The Law Offices of Gregory C.

Represented By
Todd L Turoci

Plaintiff(s):

United States Trustee for the Central

Represented By
Mohammad Tehrani
Abram Feuerstein esq
Neil Verbrugge

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, November 14, 2019

Hearing Room 225

9:00 AM

CONT... Mary Ann Gilmore

Chapter 7

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, November 14, 2019

Hearing Room 225

9:00 AM

6:18-12269 Christopher Allen Hageman

Chapter 7

Adv#: 6:18-01081 Escontrias v. Hageman et al

#2.00

PRE-TRIAL Conference re Complaint to Object to Debtors Discharge and Determine NonDischargeability of Debt under Code Section 523 by Pilar Escontrias against Christopher Allen Hageman, Crystal Dee Hageman, Kai Hargis. fraud as fiduciary, embezzlement, larceny)),(41 (Objection / revocation of discharge - 727(c),(d),(e)

(Cont. 8/22/19)

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Christopher Allen Hageman

Represented By
Roland D Tweed

Defendant(s):

Christopher Allen Hageman

Pro Se

Crystal Dee Hageman

Pro Se

Kai Hargis

Pro Se

Joint Debtor(s):

Crystal Dee Hageman

Represented By
Roland D Tweed

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, November 14, 2019

Hearing Room 225

9:00 AM

CONT... Christopher Allen Hageman

Chapter 7

Plaintiff(s):

Pilar Escontrias

Represented By
Ada R Cordero-Sack

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, November 14, 2019

Hearing Room 225

9:00 AM

6:19-10781 Yongming Sui

Chapter 7

Adv#: 6:19-01121 United States Trustee for the Central District of v. Sui

#3.00

STATUS CONFERENCE re: Complaint by United States Trustee for the Central District of California, Region 16 against Yongming Sui: (41 (Objection / revocation of discharge - 727(c),(d),(e)))

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will issue a scheduling order:

1. All discovery closes March 31, 2021.
2. All discovery motions shall be heard before April 30, 2021.
3. All pretrial motions shall be heard before May 31, 2021.
4. A pretrial conference is set for June 17, 2021 at 9:00 am.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Yongming Sui

Represented By
Michael A Cisneros

Defendant(s):

Yongming Sui

Represented By
Michael A Cisneros

Plaintiff(s):

United States Trustee for the Central

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, November 14, 2019

Hearing Room 225

9:00 AM

CONT... Yongming Sui

Chapter 7

Everett L Green

Trustee(s):

Karl T Anderson (TR)

Represented By
Misty A Perry Isaacson

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, November 14, 2019

Hearing Room 225

9:00 AM

6:19-14502 Caribou Energy Corporation

Chapter 7

#4.00

STATUS CONFERENCE re: 7 Involuntary Petition Against a Non-Individual

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the status conference to April 9, 2020 at 9:00 am. An updated status report is due on or before March 26, 2020.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Caribou Energy Corporation

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, November 14, 2019

Hearing Room 225

9:00 AM

6:19-15266 Michael A. Madrid

Chapter 11

#5.00

Hrg. on Chapter 11 Status Conference

(Cont. from 9/12/19)

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into Debtor's compliance with U.S. Trustee's guidelines and requirements. The Court will extend its deadline to file a plan and disclosure statement to February 29, 2020, and the deadline for confirming a plan to April 30, 2020.

Party Information

Debtor(s):

Michael A. Madrid

Represented By
Benjamin A Yrungaray

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Monday, November 18, 2019

Hearing Room 225

9:00 AM

6:17-20442 Timothy David Murphy
Adv#: 6:18-01071 Murphy v. Murphy

Chapter 7

#1.00

TRIAL re: Complaint to deny discharge under
11 U.S.C. Section 727(a)(4)(A)

Docket 31

Party Information

Debtor(s):

Timothy David Murphy

Represented By
Timothy D Murphy
Patricia A Mireles

Defendant(s):

Timothy David Murphy

Represented By
Timothy D Murphy

Plaintiff(s):

Mark M. Murphy

Represented By
Larry D Webb

Trustee(s):

Lynda T. Bui (TR)

Represented By
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 19, 2019

Hearing Room 225

9:00 AM

6:17-20442 Timothy David Murphy
Adv#: 6:18-01071 Murphy v. Murphy

Chapter 7

#1.00

TRIAL re: Complaint to deny discharge under
11 U.S.C. Section 727(a)(4)(A)

Docket 31

Party Information

Debtor(s):

Timothy David Murphy

Represented By
Timothy D Murphy
Patricia A Mireles

Defendant(s):

Timothy David Murphy

Represented By
Timothy D Murphy

Plaintiff(s):

Mark M. Murphy

Represented By
Larry D Webb

Trustee(s):

Lynda T. Bui (TR)

Represented By
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Wednesday, November 20, 2019

Hearing Room 225

9:00 AM

6:17-20442 Timothy David Murphy
Adv#: 6:18-01071 Murphy v. Murphy

Chapter 7

#1.00

TRIAL re: Complaint to deny discharge under
11 U.S.C. Section 727(a)(4)(A)

Docket 31

Party Information

Debtor(s):

Timothy David Murphy

Represented By
Timothy D Murphy
Patricia A Mireles

Defendant(s):

Timothy David Murphy

Represented By
Timothy D Murphy

Plaintiff(s):

Mark M. Murphy

Represented By
Larry D Webb

Trustee(s):

Lynda T. Bui (TR)

Represented By
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, November 25, 2019

Hearing Room 6C

9:00 AM

8:19-12375 South Coast Behavioral Health, Inc.

Chapter 11

#1.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 6/20/19)

FR: 8-21-19

Docket 59

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into the Debtor's compliance with U.S. Trustee's guidelines and requirements.

Next status conference: March 18, 2020 at 9:00 a.m.

An updated status report is due March 4, 2020.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

South Coast Behavioral Health, Inc.

Represented By
Michael N Nicastrò
Sean A OKeefe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, November 25, 2019

Hearing Room 6C

9:00 AM

8:19-12800 Luis M Casillas

Chapter 7

#2.00

Motion for relief from stay [Personal Property]

SchoolsFirst Federal Credit Union vs. DEBTOR
(Motion filed 10/21/19)

[RE: 2017 Jeep Cherokee - VIN No.: 1C4RJEAG4HC846171]

Docket 9

Tentative Ruling:

APPEARANCES REQUIRED.

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER.

Party Information

Debtor(s):

Luis M Casillas

Represented By
Kevin Tang

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, November 25, 2019

Hearing Room 6C

9:00 AM

CONT... Luis M Casillas

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, November 25, 2019

Hearing Room 6C

9:00 AM

8:19-13273 Doris Jean O'Rourke

Chapter 7

#3.00

Motion for relief from stay [Real Property]

Lakeview Loan Servicing, LLC vs. DEBTOR
(Motion filed 10/23/19)

[RE: 2096 Corwin Road, Bullhead City, AZ 86442]

Docket 21

Tentative Ruling:

APPEARANCES REQUIRED.

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Doris Jean O'Rourke

Pro Se

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, November 25, 2019

Hearing Room 6C

9:00 AM

8:19-14007 Alberto Ramirez Marin

Chapter 7

#4.00

Motion for relief from stay [Unlawful Detainer]

M. Hoyt Family Trust, Mathew Hoyt As Trustee; David Alvillar vs. DEBTOR
(Motion filed 10/31/19)

[RE: 1609 S Cedar Street, Apt. B, Santa Ana, CA 92707]

Docket 11

Tentative Ruling:

APPEARANCES REQUIRED.

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1). This motion has been filed to proceed with an unlawful detainer action. This action must go forward because the debtor's right to possess the premises must be determined. This does not change simply because a bankruptcy petition was filed.—OR --- A judgment against the debtor was entered in the unlawful detainer action prepetition. The granting of this motion will permit the movant to exercise its rights under state law with respect to the subject property.

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Alberto Ramirez Marin

Represented By
Randy Alexander

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, November 25, 2019

Hearing Room 6C

9:00 AM

8:19-11435 Ernesto Rafael Montalvo

Chapter 13

#5.00

Motion for relief from stay [Real Property]

Wells Fargo Bank, N.A. vs. DEBTOR
(Motion filed 10/31/19)

[RE: 1682 W Ord Way, Anaheim, CA 92802-4519]

Docket 81

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire whether all arrearages have been cured as of the hearing date.

The Court will inquire whether all post petition payments have been made.

Party Information

Debtor(s):

Ernesto Rafael Montalvo

Represented By
Claudia C Osuna

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, November 25, 2019

Hearing Room 6C

9:00 AM

8:19-13829 Mary Zanki

Chapter 7

#6.00

Motion for relief from stay [Unlawful Detainer]

Carlos Covarrubias vs. DEBTOR
(Motion filed 10/31/19)

[RE: 21460 Via Espana, Yorba Linda, CA 92886]

Docket 13

Tentative Ruling:

APPEARANCES REQUIRED.

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1). This motion has been filed to proceed with an unlawful detainer action. This action must go forward because the debtor's right to possess the premises must be determined. This does not change simply because a bankruptcy petition was filed.—OR --- A judgment against the debtor was entered in the unlawful detainer action prepetition. The granting of this motion will permit the movant to exercise its rights under state law with respect to the subject property.

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Mary Zanki

Pro Se

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, November 25, 2019

Hearing Room 6C

2:00 PM

8:14-11729 Richard Clark Farrell

Chapter 7

#1.00

CONT'D Hearing RE: Supplemental Application Of Trustee To Employ Hahn Fife & Company, LLP As Accountants, Or In The Alternative, For Nunc Pro Tunc Employment Of Desmond, Marcello & Amster
(Application filed 6/14/16) (Supplement Application filed 10/3/16)

FR: 10-24-16; 1-9-17; 2-6-17; 6-28-17; 11-13-17; 3-28-18; 5-9-18; 11-14-18;
5-6-19 at 2:00 p.m.; 5-6-19; 7-17-19

Docket 593

Tentative Ruling:

APPEARANCES REQUIRED.

Party Information

Debtor(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Movant(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

Trustee(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, November 25, 2019

Hearing Room 6C

2:00 PM

8:14-11729 Richard Clark Farrell

Chapter 7

#2.00

CONT'D Hearing RE: Motion Of Chapter 7 Trustee To Strike Those Portions Of Debtor's Opposition To Supplemental Application Of Trustee To Employ Hahn Fife & Company, LLP, As Accountants, Or In The Alternative, For Nunc Pro Tunc Employment Of Desmond, Marcello & Amster Which Are In Violation Of The Court's Order Continuing Hearing On Chapter 7 Trustee's Motion For Turnover Of Post-Petition Value Received By Debtor From C3 Lighting, Inc. [Docket No. 581]
(Motion filed 10/17/16)

FR: 10-24-16; 1-9-17; 2-6-17; 6-28-17; 11-13-17; 3-28-18; 5-9-18; 11-14-18; 11-14-18; 5-6-19 at 2:00 p.m.; 5-6-19; 7-17-19

Docket 611

Tentative Ruling:

APPEARANCES REQUIRED.

Chapter 7 trustee Karen Sue Naylor (the "Trustee") moves to strike certain portions of the opposition of debtor Richard Clark Farrell (the "Debtor") to the Trustee's supplemental application to employ Hahn Fife & Company, LLP ("Hahn Fife").

The Trustee initially served as chapter 11 trustee in this case. In such capacity, the Trustee employed Hahn Fife. The Court approved Hahn Fife's employment application by order entered May 1, 2015 with an effective date of March 30, 2015.

The case was converted to chapter 7 on May 6, 2016, and the Trustee was appointed as chapter 7 trustee. Hahn Fife's application to serve as accountant for the Trustee in her capacity as chapter 7 trustee was approved by the Court on July 20, 2016.

During its tenure as accountant to the Trustee, first in her capacity as chapter 11

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CONT...

Richard Clark Farrell

Chapter 7

trustee and later in her capacity as chapter 7 trustee, Hahn Fife engaged the services of certain forensic accountants. The Trustee has taken the position that fees of these forensic accountants properly can be run through Hahn Fife and paid through a Hahn Fife fee application. Alternatively, the Trustee asks (in a separate motion) for Court approval of the employment of such forensic accounting professionals (the "Employment Application"). The Debtor argues that the Employment Application should be denied by this Court (the "Opposition to the Employment Application").

On September 20, 2016, this Court entered an order (the "September 2016 Order") permitting the Trustee to file an employment application for the forensic accountant (Mr. Wesley L. Nutten) and permitting the Debtor to oppose such application. The September 2016 Order provides, in relevant part, as follows in bold-faced type: **"No party in interest shall directly or indirectly collaterally attack all or any portion of any declaration made by Mr. Nutten prior to the date of entry of this order in any pleading . . ."**.

Mr. Nutten filed a declaration on May 26, 2016 (the "May 2016 Declaration") in support of a turnover motion filed by the Trustee. Such declaration is within the scope of the Court's September 2016 Order because it pre-dates such order. In the May 2016 Declaration, Mr. Nutten makes statements generally supporting the propositions that C3 Lighting Solutions, Inc. ("C3") owed approximately \$2.4 million to Debtor prepetition and that C3 paid Debtor's personal expenses after Debtor filed his bankruptcy petition. Of special note is that the May 2016 Declaration asserts that Debtor had been making sizable loans to C3 prepetition – in direct contradiction of Debtor's assertion that money flowing into C3 were capital contributions as opposed to loans.

Debtor's Opposition to the Employment Application" seeks in various ways to undermine statements in the May 2016 Declaration that money flowing into C3 prepetition were loans rather than capital contributions. Also attacked are statements in the May 2016 Declaration regarding C3's balance sheet items and C3's

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alleged payment of Debtor's personal expenses.

The Court finds that these efforts and statements in the Opposition to the Employment Application are in violation of the September 2016 Order as a direct or indirect collateral attack on the May 2016 Declaration. Accordingly, the Court strikes numbered paragraphs 8, 9, 11, 21, 28, 29, 30, 31 and 32 in the Opposition to the Employment Application. If as a technical matter the Court is precluded from striking such paragraphs as argued by Debtor, the Court alternatively determines that it will give no effect to such numbered paragraphs and will exclude them from evidence pursuant to the Federal Rules of Bankruptcy Procedure, the Federal Rules of Evidence and this Court's inherent powers.

The Court does not perceive that numbered paragraphs 4, 5, 6, 7, 10, 23, 25, 26 and 27 violate the September 2016 Order and therefore declines to strike or exclude from evidence such paragraphs.

The Court will excuse the alleged late filing of the Opposition to the Employment Application.

The Trustee's motion to strike is granted in part and denied in part.

Party Information

Debtor(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Movant(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

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Trustee(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

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8:14-11729 Richard Clark Farrell

Chapter 7

#3.00

CONT'D Hearing RE: Motion Of Chapter 7 Trustee For An Order Denying Debtor's Claims Of Exemptions - Homestead And Savings/Checking (Motion filed 11/18/16)

FR: 1-9-17; 2-6-17; 3-20-17; 6-28-17; 11-13-17; 3-28-18; 5-9-18; 11-14-18; 11-14-18; 5-6-19 at 2:00 p.m.; 5-6-19; 7-17-19

Docket 651

***** VACATED *** REASON: OFF CALENDAR - ORDER APPROVING STIPULATION BY AND BETWEEN CHAPTER 7 TRUSTEE AND THE DEBTOR ENTERED 8-15-19 - (DOCKET NO. [888])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Trustee(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

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8:14-11729 Richard Clark Farrell

Chapter 7

#4.00

CONT'D Evidentiary Hearing RE: Motion For Turnover Of Post-Petition Value Received By Debtor From C3 Lighting, Inc.
(Motion filed 5/26/16)
(Evidentiary hearing set at hearing held 8/1/16)

FR: 6-20-16; 8-1-16; 9-19-16; 10-24-16; 1-9-17; 2-6-17; 6-28-17; 11-13-17; 3-28-18; 5-9-18; 11-14-18; 11-14-18; 5-6-19 at 2:00 p.m.; 5-6-19; 7-17-19

Docket 487

***** VACATED *** REASON: OFF CALENDAR - ORDER HOLDING MOTION IN ABEYANCE ENTERED 11-21-19 - (DOCKET NO. [896]**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Movant(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

Trustee(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

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8:14-11729 Richard Clark Farrell

Chapter 7

#5.00

CONT'D Hearing RE: Debtor's Motion To Compel Trustee To Return Debtor's Post-Petition Income
(Motion filed 7/11/16)

FR: 8-1-16; 11-14-16; 1-9-17; 2-6-17; 6-28-17; 11-13-17; 3-28-18; 5-9-18;
11-14-18; 5-6-19; 7-17-19

Docket 510

***** VACATED *** REASON: OFF CALENDAR - ORDER DISMISSING
MOTION WITH PREJUDICE ENTERED 11-21-19 - (DOCKET NO. [896]**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Movant(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Trustee(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

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8:14-11729 Richard Clark Farrell

Chapter 7

Adv#: 8:16-01204 Naylor v. Farrell et al

#6.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint:

1. For An Accounting;
 2. To Avoid Actual Fraudulent Transfers;
 3. To Avoid Constructively Fraudulent Transfers;
 4. To Recover Property Fraudulently Transferred;
 5. For Turnover Of Property Of The Estate; And,
 6. For Equitable Subordination Of The Claim Of Richard E. Farrell
- (Complaint filed 9/16/16)

[C3 Lighting Solutions Inc. ONLY - Dismissed With Prejudice - Docket no. (54)]

FR: 12-7-16; 5-31-17; 10-4-17; 11-29-17; 3-28-18; 5-2-18; 5-9-18; 11-14-18;
5-6-19 at 2:00 p.m.; 5-6-19; 7-17-19

Docket 1

***** VACATED *** REASON: OFF CALENDAR - PER ORDER
APPROVING STIPULATION TO HOLD ADVERSARY PROCEEDING IN
ABEYANCE ENTERED 7-29-19 - (DOCKET NO. [58])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Defendant(s):

Richard C. Farrell

Pro Se

Richard E. Farrell

Pro Se

Irma Farrell

Pro Se

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C3 Lighting Solutions, Inc.

Pro Se

Plaintiff(s):

Karen Sue Naylor

Represented By
Nanette D Sanders
Brian R Nelson

Trustee(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson
Robert P Goe

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8:14-11729 Richard Clark Farrell
Adv#: 8:16-01216 Naylor v. Farrell

Chapter 7

#7.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint Objecting To
Discharge Pursuant To 11 U.S.C. Section 727
(Complaint filed 9/30/16)

FR: 12-21-16; 2-6-17; 6-28-17; 11-13-17; 3-28-18; 5-9-18; 11-14-18; 5-9-19 at
2:00 p.m.; 5-6-19; 7-17-19

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER HOLDING
ADVERSARY PROCEEDING IN ABEYANCE ENTERED 11-21-19-
(DOCKET NO. [52])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Defendant(s):

Richard Clark Farrell

Represented By
Michael G Spector

Plaintiff(s):

Karen Sue Naylor

Represented By
Nanette D Sanders
Brian R Nelson

Trustee(s):

Karen S Naylor (TR)

Represented By

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2:00 PM

CONT...

Richard Clark Farrell

Nanette D Sanders
Brian R Nelson
Robert P Goe

Chapter 7

**United States Bankruptcy Court
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Santa Ana
Judge Mark Wallace, Presiding
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Monday, November 25, 2019

Hearing Room 6C

2:00 PM

8:16-15208 Michael Younessi

Chapter 11

Adv#: 8:18-01150 Diamond Enterprises, Ltd, LP v. Younessi

#8.00

Hearing RE: Plaintiff Diamond Enterprises, Ltd. LP's Motion To Compel Solitek Solutions, Inc. To Produce Documents Responsive To Subpoena
(Motion filed 5/1/19)
(Set per Order Entered 9-27-19)

Docket 41

Tentative Ruling:

APPEARANCES REQUIRED.

Party Information

Debtor(s):

Michael Younessi

Represented By
Michael Jones
Sara Tidd

Defendant(s):

Michael Younessi

Represented By
Michael Jones

Plaintiff(s):

Diamond Enterprises, Ltd, LP

Represented By
M Douglas Flahaut
Annie Y Stoops

**United States Bankruptcy Court
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Judge Mark Wallace, Presiding
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Monday, November 25, 2019

Hearing Room 6C

2:00 PM

8:16-15208 Michael Younessi

Chapter 11

Adv#: 8:18-01150 Diamond Enterprises, Ltd, LP v. Younessi

#9.00

Hearing RE: Plaintiff Diamond Enterprises, Ltd. LP's Motion To Compel Torres Construction Services, Inc. To Produce Documents Responsive To Subpoena (Motion filed 5/1/19)
(Set per Order Entered 9/27/19)

Docket 42

Tentative Ruling:

APPEARANCES REQUIRED.

Party Information

Debtor(s):

Michael Younessi

Represented By
Michael Jones
Sara Tidd

Defendant(s):

Michael Younessi

Represented By
Michael Jones

Plaintiff(s):

Diamond Enterprises, Ltd, LP

Represented By
M Douglas Flahaut
Annie Y Stoops

**United States Bankruptcy Court
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Judge Mark Wallace, Presiding
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Monday, November 25, 2019

Hearing Room 6C

2:00 PM

8:16-15208 Michael Younessi

Chapter 11

Adv#: 8:18-01150 Diamond Enterprises, Ltd, LP v. Younessi

#10.00

Hearing RE: Plaintiff Diamond Enterprises, Ltd. LP's Motion To Compel Kathy Younessi To Produce Documents Responsive To Subpoena
(Motion filed 5/1/19)
(Set per Order Entered 9/27/19)

Docket 43

Tentative Ruling:

APPEARANCES REQUIRED.

Party Information

Debtor(s):

Michael Younessi

Represented By
Michael Jones
Sara Tidd

Defendant(s):

Michael Younessi

Represented By
Michael Jones

Plaintiff(s):

Diamond Enterprises, Ltd, LP

Represented By
M Douglas Flahaut
Annie Y Stoops

**United States Bankruptcy Court
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Judge Mark Wallace, Presiding
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Monday, November 25, 2019

Hearing Room 6C

2:00 PM

8:16-15208 Michael Younessi

Chapter 11

Adv#: 8:18-01150 Diamond Enterprises, Ltd, LP v. Younessi

#11.00

Hearing RE: Plaintiff Diamond Enterprises, Ltd. LP's Motion To Compel James T. Imperiale To Produce Documents Responsive To Subpoena
(Motion filed 5/1/19
(Set per Order Entered 9/27/19)

Docket 44

Tentative Ruling:

APPEARANCES REQUIRED.

Party Information

Debtor(s):

Michael Younessi

Represented By
Michael Jones
Sara Tidd

Defendant(s):

Michael Younessi

Represented By
Michael Jones

Plaintiff(s):

Diamond Enterprises, Ltd, LP

Represented By
M Douglas Flahaut
Annie Y Stoops

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, November 25, 2019

Hearing Room 6C

2:00 PM

8:16-15208 Michael Younessi

Chapter 11

Adv#: 8:18-01150 Diamond Enterprises, Ltd, LP v. Younessi

#12.00

Hearing RE: Plaintiff Diamond Enterprises, Ltd. LP's Motion To Compel Tiara Enterprises LLC To Produce Documents Responsive To Subpoena (Motion filed 5/1/19)
(Set per Order Entered 9/27/19)

Docket 45

Tentative Ruling:

APPEARANCES REQUIRED.

Party Information

Debtor(s):

Michael Younessi

Represented By
Michael Jones
Sara Tidd

Defendant(s):

Michael Younessi

Represented By
Michael Jones

Plaintiff(s):

Diamond Enterprises, Ltd, LP

Represented By
M Douglas Flahaut
Annie Y Stoops

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
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Hearing Room 5C

2:00 PM

8:16-15208 Michael Younessi

Chapter 11

Adv#: 8:18-01150 Diamond Enterprises, Ltd, LP v. Younessi

#13.00

Hearing RE: Plaintiff Diamond Enterprises, Ltd. LP's Motion To Compel Aliso Enterprises LLC To Produce Documents Responsive To Subpoena (Motion filed 5/1/19)
(Set per Order Entered 9/27/19)

Docket 46

Tentative Ruling:

APPEARANCES REQUIRED.

Party Information

Debtor(s):

Michael Younessi

Represented By
Michael Jones
Sara Tidd

Defendant(s):

Michael Younessi

Represented By
Michael Jones

Plaintiff(s):

Diamond Enterprises, Ltd, LP

Represented By
M Douglas Flahaut
Annie Y Stoops

**United States Bankruptcy Court
Central District of California
Santa Ana
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Monday, November 25, 2019

Hearing Room 5C

2:00 PM

8:16-15208 Michael Younessi

Chapter 11

Adv#: 8:18-01150 Diamond Enterprises, Ltd, LP v. Younessi

#14.00

Hearing RE: Plaintiff Diamond Enterprises, Ltd. LP's Motion To Compel MJAK Investment, LLC To Produce Documents Responsive To Subpoena
(Motion filed 5/1/19)
(Set per Order Entered 9/27/19)

Docket 47

Tentative Ruling:

APPEARANCES REQUIRED.

Party Information

Debtor(s):

Michael Younessi

Represented By
Michael Jones
Sara Tidd

Defendant(s):

Michael Younessi

Represented By
Michael Jones

Plaintiff(s):

Diamond Enterprises, Ltd, LP

Represented By
M Douglas Flahaut
Annie Y Stoops

**United States Bankruptcy Court
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Judge Mark Wallace, Presiding
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Monday, November 25, 2019

Hearing Room 5C

2:00 PM

8:16-15208 Michael Younessi

Chapter 11

Adv#: 8:18-01150 Diamond Enterprises, Ltd, LP v. Younessi

#15.00

Hearing RE: Plaintiff Diamond Enterprises, Ltd. LP's Motion To Compel Pacifica Holdings, LLC To Produce Documents Responsive To Subpoena
(Motion filed 5/1/19)
(Set per Order Entered 9/27/19)

Docket 48

Tentative Ruling:

APPEARANCES REQUIRED.

Party Information

Debtor(s):

Michael Younessi

Represented By
Michael Jones
Sara Tidd

Defendant(s):

Michael Younessi

Represented By
Michael Jones

Plaintiff(s):

Diamond Enterprises, Ltd, LP

Represented By
M Douglas Flahaut
Annie Y Stoops

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
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Monday, November 25, 2019

Hearing Room 6C

2:00 PM

8:18-11826 Celso Ponce Ortiz

Chapter 7

#16.00

CONT'D Hearing RE: Motion For An Order To Show Cause Why Former Counsel To The Debtor, Ashishkumar Patel, [California Bar Number 207293] Should Not Be Referred To The Disciplinary Panel For Bankruptcy Courts For The Central District Of California Or Otherwise Disciplined Pursuant To The Courts Inherent Authority To Impose Discipline Pursuant To Local Rule 83-3.1 Of The Local Rules For The Central Of California
(Motion filed 9/16/19)

FR: 10-28-19

Docket 27

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will continue the hearing on the motion for an OSC to February 10, 2020 at 2:00 p.m. pursuant to FRBP 9014(c).

Discovery rules of Part VII of the Federal Rules of Bankruptcy Procedure are applicable, and discovery shall open on November 26, 2019, and close by January 24, 2020.

Any party may file a supplemental brief on the matter on or before January 31, 2020.

UNITED STATES TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Celso Ponce Ortiz

Represented By
Ashishkumar Patel

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
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Santa Ana
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Monday, November 25, 2019

Hearing Room 6C

2:00 PM

8:18-11826 Celso Ponce Ortiz

Chapter 7

#17.00

CONT'D Hearing RE: Motion For An Order Reopening Chapter 7 Case To Recover Disgorgement Proceeds From Former Counsel To The Debtor And To File Motion For An Order To Show Cause Why Former Counsel To The Debtor, Ashishkumar Patel, [California Bar Number 207293] Should Not Be Referred To The Disciplinary Panel For Bankruptcy Courts For The Central District Of California Or Otherwise Disciplined Pursuant To The Courts Inherent Authority To Impose Discipline Pursuant To Local Rule 83-3.1 Of The Local Rules For The Central Of California
(Motion filed 9/13/19)

FR: 10-28-19

Docket 24

Tentative Ruling:

APPEARANCES REQUIRED.

The United States Trustee has shown cause to reopen this case within the meaning of FRBP 5010 and LBR 5010-1.

The Court will grant the UST's motion. Additionally, the Court will direct the UST to appoint a chapter 7 Trustee in the case.

UNITED STATES TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Celso Ponce Ortiz

Represented By
Ashishkumar Patel

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
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Hearing Room 6C

2:00 PM

CONT... Celso Ponce Ortiz

Chapter 7

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
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Courtroom 6C Calendar**

Monday, November 25, 2019

Hearing Room 6C

2:00 PM

8:19-14127 John Alan Stacey and Kathleen Lee Stacey

Chapter 11

#18.00

Hearing RE: Debtors And Debtors'-In-Possession Motion For Order (1) Authorizing Maintenance Of Existing Bank Accounts For A Limited Period Pursuant To 11 U.S.C. Sections 105, 345, And 363; And (2) Confirming No Cash Collateral On The Collection Of Rents (Motion filed 10/28/19)

Docket 12

***** VACATED *** REASON: OFF CALENDAR - ORDER GRANTING MOTION ENTERED 11-1-19 - (DOCKET NO. [22])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

John Alan Stacey

Represented By
Richard A Marshack
David Wood

Joint Debtor(s):

Kathleen Lee Stacey

Represented By
Richard A Marshack
David Wood

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, November 25, 2019

Hearing Room 6C

2:00 PM

8:18-12541 Scott Lawrence Chappell and Alicia Woolsey

Chapter 7

#19.00

Hearing RE: Chapter 7 Trustee's Application To Employ Real Estate Agent
Jeanne Herman of Landfinder Country Properties
(Motion filed 9/26/19)
(Objection filed 10/10/19)
(Set per Notice of Hearing filed 10/30/19)

Docket 84

Tentative Ruling:

APPEARANCES REQUIRED.

In order to avoid the appearance of impropriety and to foreclose future disputes about
Jeanne Herman's interest and role in this matter, the Court will deny the application and
require the Trustee to find another real estate agent in Washoe County, Nevada.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Scott Lawrence Chappell

Represented By
Stephen E Olear

Joint Debtor(s):

Alicia Woolsey

Represented By
Stephen E Olear

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, November 25, 2019

Hearing Room 6C

2:00 PM

8:18-12541 Scott Lawrence Chappell and Alicia Woolsey

Chapter 7

#20.00

Hearing RE: Application Of The Chapter 7 Trustee To Employ Counsel, Law Office Of Thomas H. Casey, Inc., A Professional Corporation Effective September 25, 2019
(Motion filed 10/31/19)

Docket 91

Tentative Ruling:

APPEARANCES REQUIRED.

The Court intends to grant the motion.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Scott Lawrence Chappell

Represented By
Stephen E Olear

Joint Debtor(s):

Alicia Woolsey

Represented By
Stephen E Olear

Trustee(s):

Thomas H Casey (TR)

Represented By
Thomas H Casey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, November 25, 2019

Hearing Room 6C

2:00 PM

8:19-10402 Sepideh Sally Cirino

Chapter 7

#21.00

Hearing RE: Application Of The Chapter 7 Trustee To Employ Counsel
(Weiland Golden Goodrich LLP) Pursuant To 11 U.S.C. Sections 327 and 330
(Motion filed 10/21/19)
(Objection filed 11/4/19)
(Set per Notice of Hearing filed 11/6/19)

Docket 90

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will overrule the opposition and grant the motion for the reasons articulated by the chapter 7 Trustee.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Sepideh Sally Cirino

Pro Se

Trustee(s):

Richard A Marshack (TR)

Represented By
David M Goodrich

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 26, 2019

Hearing Room 225

9:00 AM

6:19-14502 Caribou Energy Corporation

Chapter 7

#1.00

Hockensmith McKinnis Hamill, P.C. - movant attorney

Motion for Relief from Stay

Midwest Regional Bank vs. DEBTOR
(Motion filed 9/3/19)

Re: Hydro-Excavation Vacuum Trucks

(Cont. from 10/15/19)

Docket 51

***** VACATED *** REASON: OFF CALENDAR - ORDER GRANTING
MOTION - SETTLED BY STIPULATION - ENTERED 11-22-19 -
(DOCKET NO. [53])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Caribou Energy Corporation

Pro Se

Trustee(s):

Lynda T. Bui (TR)

Represented By
David M Goodrich

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 26, 2019

Hearing Room 225

9:00 AM

6:19-17237 Michael D Guffa

Chapter 7

#2.00

ZBS Law, LLP - movant attorney

Motion for Relief from Stay

Broker Solutions, Inc vs. DEBTOR
(Motion filed 10/25/19)

RE: 29314 Wagon Creek LN, Menifee, CA 92584

Docket 9

Tentative Ruling:

APPEARANCES REQUIRED.

The motion is denied without prejudice. The movant would appear to be adequately protected with an equity cushion exceeding ten percent.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Michael D Guffa

Represented By
Paul Y Lee

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 26, 2019

Hearing Room 225

9:00 AM

6:19-17552 RVT Inc

Chapter 11

#3.00

Hemar, Roussio & Heald, LLP, movant attorney

Motion for Relief from the Stay

BMO Harris Bank, N.A. VS. DEBTORS
(Motion filed 11/5/19)

RE: Three (3) 2014 International Prostar Tractors

Docket 59

Tentative Ruling:

APPEARANCES REQUIRED.

The Court intends to grant the motion under 11 U.S.C. §362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

RVT Inc

Represented By
Julie J Villalobos

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 26, 2019

Hearing Room 225

9:00 AM

6:19-17552 RVT Inc

Chapter 11

#4.00

Hemar, Roussio & Heald, LLP, movant attorney

Motion for Relief from Stay

BMO Harris Bank, N.A. VS. DEBTOR
(Motion filed 11/5/19)

RE: Two (2) 2015 International Prostar Tractors

Docket 60

Tentative Ruling:

APPEARANCES REQUIRED.

The Court intends to grant the motion under 11 U.S.C. §362(d)(1).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

RVT Inc

Represented By
Julie J Villalobos

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 26, 2019

Hearing Room 225

9:00 AM

6:19-18641 Adam C. Fain and Margaret A. Fain

Chapter 7

#5.00

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

Motion for Relief from Stay

Americredit Financial Services, Inc. vs. DEBTOR, Lynda T. Bui, trustee
(Motion filed 10/25/19)

Re: 2017 Chevrolet Express 4500, VIN: 1HA6GUCG5HN010894

Docket 16

Tentative Ruling:

APPEARANCES NOT REQUIRED.

Whether an equity cushion of any particular size provides adequate protection for a creditor's security interest in the debtor's property, pursuant to 11 U.S.C. § 362(d)(1) depends on a consideration of all circumstances. Movant has made a sufficient showing that, in light of the apparent magnitude of the equity cushion and the debtor's failure to make payments, it is not adequately protected. The debtor has failed to produce evidence sufficient to establish that the movant is adequately protected, in light of the arrearages on the property and the failure to make post-petition payments.

Since a chapter 7 case does not contemplate reorganization, the sole issue before the court when stay relief is sought under 11 U.S.C. § 362(d)(2) is whether debtor has equity in the property. *See e.g., Nev. Nat'l Bank v. Casbul of Nev., Inc. (In re Casgul of Nev., Inc.)*, 22 B.R. 65, 66 (B.A.P. 9th Cir. 1982); *Ramco Indus. v. Preuss (In re Preuss)*, 15 B.R. 896 (B.A.P. 9th Cir. 1981). The subject property has a value that is less than the value of the perfected security interest in favor of the movant. There is no equity in the subject property and no evidence that the trustee can administer the subject property for the benefit of creditors.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 26, 2019

Hearing Room 225

9:00 AM

CONT... Adam C. Fain and Margaret A. Fain

Chapter 7

The Court intends to grant the motion.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Adam C. Fain

Represented By
Lazaro E Fernandez

Joint Debtor(s):

Margaret A. Fain

Represented By
Lazaro E Fernandez

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 26, 2019

Hearing Room 225

9:00 AM

6:19-18945 Michael Lance Willoughby

Chapter 7

#6.00

French Lyon Tang - movant attorney

Motion for Relief from Stay

Bank of the West vs. DEBTOR
(Motion filed 11/4/19)

Re: 2008 NRC MH34 Toterhome

Docket 12

Tentative Ruling:

APPEARANCES NOT REQUIRED.

Whether an equity cushion of any particular size provides adequate protection for a creditor's security interest in the debtor's property, pursuant to 11 U.S.C. § 362(d)(1) depends on a consideration of all circumstances. Movant has made a sufficient showing that, in light of the apparent magnitude of the equity cushion and the debtor's failure to make payments, it is not adequately protected. The debtor has failed to produce evidence sufficient to establish that the movant is adequately protected, in light of the arrearages on the property and the failure to make post-petition payments.

Since a chapter 7 case does not contemplate reorganization, the sole issue before the court when stay relief is sought under 11 U.S.C. § 362(d)(2) is whether debtor has equity in the property. *See e.g., Nev. Nat'l Bank v. Casbul of Nev., Inc. (In re Casgul of Nev., Inc.)*, 22 B.R. 65, 66 (B.A.P. 9th Cir. 1982); *Ramco Indus. v. Preuss (In re Preuss)*, 15 B.R. 896 (B.A.P. 9th Cir. 1981). The subject property has a value that is less than the value of the perfected security interest in favor of the movant. There is no equity in the subject property and no evidence that the trustee can administer the subject property for the benefit of creditors.

The Court intends to grant the motion.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 26, 2019

Hearing Room 225

9:00 AM

CONT... Michael Lance Willoughby

Chapter 7

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Michael Lance Willoughby

Represented By
Julie J Villalobos

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 26, 2019

Hearing Room 225

2:00 PM

6:08-14592 Empire Land, LLC

Chapter 7

#1.00

Hrg. on Motion Of Chapter 7 Trustee To Approve Settlement Agreement

Docket 2551

Tentative Ruling:

APPEARANCES REQUIRED.

The Court intends to grant the motion and approve the settlement agreement.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Empire Land, LLC

Represented By

James Stang

Robert M Saunders

Michael I. Gottfried

----- O'melveny & Myers

Dean A Ziehl

Jonathan A Loeb

P Sabin Willett

Richard K Diamond (TR)

Jeffrey Rosenfeld

Movant(s):

Richard K. Diamond

Pro Se

Trustee(s):

Richard K Diamond (TR)

Represented By

Michael I. Gottfried

Richard S Berger - SUSPENDED -

Rodger M. Landau

Richard K Diamond

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 26, 2019

Hearing Room 225

2:00 PM

CONT... Empire Land, LLC

Chapter 7

Peter M Bransten
Aleksandra Zimonjic
Monica Rieder
Lisa N Nobles
Peter J. Gurfein
Paul Hastings
Royce Zur
Amy Evans
Best Best & Krieger
Franklin C Adams
Thomas J Eastmond

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 26, 2019

Hearing Room 225

2:00 PM

6:18-13918 Ruben Valdivia

Chapter 7

#2.00

Hrg. on Chapter 7 Trustee's Motion for Order: 1) Authorizing Sale of Real Property - 474 & 476 S. Eastern Avenue, Los Angeles, CA 90022; 2) Confirming Sale to Third Party or the Highest Bidder appearing at the hearing; 3) Determining that Buyer is a Good Faith Purchases; and 4) Waiving the fourteen (14) day stay prescribed by Rule 6004(h) of the Federal Rules of Bankruptcy Procedures

Docket 49

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire whether there are any over-bidders, and if there are, will direct the auction to be held in open court. However, bidding increments after the initial over-bid will be \$3,000 instead of \$1,000. The Court will grant the motion subject to the terms specified in Reverse Mortgage Solutions, Inc. conditional non-opposition.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Ruben Valdivia

Pro Se

Movant(s):

Larry D Simons (TR)

Represented By
Frank X Ruggier

Trustee(s):

Larry D Simons (TR)

Represented By
Frank X Ruggier

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 26, 2019

Hearing Room 225

2:00 PM

6:18-17032 Henry Ordan Batac and Sally Rile Batac

Chapter 7

#3.00

Hrg. on approval of trustee's final report and application for compensation

Docket 47

Tentative Ruling:

APPEARANCES NOT REQUIRED.

In a case under chapter 7 or 11, the court may allow reasonable compensation under § 330 to the trustee for the trustee's services, payable after the trustee renders such services, not to exceed 25% on the first \$5,000 or less, 10% on any amount in excess of \$5,000 but not in excess of \$50,000, 5% on any amount in excess of \$50,000 but not in excess of \$1,000,000, and reasonable compensation not to exceed 3% of such moneys in excess of \$1,000,000, upon all moneys disbursed or turned over in the case by the trustee to parties in interest, excluding the debtor, but including holders of secured claims. 11 U.S.C. § 326(a).

The Court finds that the Trustee's requested compensation meets the requirements of 11 U.S.C. § 326(a) and represents reasonable compensation for actual, necessary services rendered in the administration of this estate.

The compensation is approved as to the Trustee, with fees in the amount of \$1,715.31 and expenses in the amount of \$188.30.

The compensation is approved as to Popes Antiques & Auctions, with fees in the amount of \$1,975.00.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Henry Ordan Batac

Represented By
Carey C Pickford

Joint Debtor(s):

Sally Rile Batac

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 26, 2019

Hearing Room 225

2:00 PM

CONT...

Henry Ordan Batac and Sally Rile Batac

Carey C Pickford

Chapter 7

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 26, 2019

Hearing Room 225

2:00 PM

6:19-17552 RVT Inc

Chapter 11

#4.00

Hrg. on Motion to Compel Assumption or Rejection of Executory Contracts and Unexpired Leases and for full Lease Payments prior to Formal Assumption or Rejection

Docket 61

Tentative Ruling:

APPEARANCES REQUIRED.

The Court intends to grant the motion.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

RVT Inc

Represented By
Julie J Villalobos

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, November 26, 2019

Hearing Room 225

2:00 PM

6:18-14098 Monica Del Cano

Chapter 7

#5.00

Hrg. on chapter 7 Trustee's Motion filed 10/18/19 For An Order (1) Approving Sale Of The Estate's Interest In Real Property Free and Clear Of Interests Under 11 U.S.C. Section 363(f); (2) Approving The Proposed Overbid Procedure; and (3) Determining That Buyers Are Entitled To Section 363(m) Protection

(Cont. from 11/12/19)

Docket 50

***** VACATED *** REASON: Order continuing hearing to 12/9/19 @ 2:00 p.m. signed on 11/25/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Monica Del Cano

Represented By
William Radcliffe

Trustee(s):

Karl T Anderson (TR)

Represented By
Lovee D Sarenas

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 27, 2019

Hearing Room 6C

9:00 AM

8:19-10616 Robert Michael Elliott

Chapter 7

Adv#: 8:19-01079 Cochrane v. Elliot

#1.00

Hearing RE: Motion To Dismiss Amended Complaint To Determine Dischargeability Of Debt Under 11 U.S.C. Sections 523(a)(2)(A) [FRBP 7012 And 7009]
(Motion filed 10/7/19)

Docket 19

***** VACATED *** REASON: CONTINUED TO DECEMBER 4, 2019 AT
9:00 A.M. PER ORDER CONTINUING HEARING ON MOTION TO
DISMISS COMPLAINT ENTERED 11-18-19 - (DOCKET NO. [27])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Robert Michael Elliott

Represented By
Renee Nasiri

Defendant(s):

Robert Michael Elliot

Represented By
David R Flyer

Plaintiff(s):

Kevin Cochrane

Represented By
Jason P. Saccuzzo
John W Cutchin
Michael W Vivoli

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 27, 2019

Hearing Room 6C

9:00 AM

8:19-12113 Heidi Crawford

Chapter 7

Adv#: 8:19-01178 New Deco Arts & Crafts Co Ltd v. Crawford

#2.00

STATUS CONFERENCE Hearing RE: Complaint For Determination Of Dischargeability And Objecting To Debtor's Discharge Pursuant To Sections 523 And 727 Of The Bankruptcy Code
(Complaint filed 9/6/19)

Docket 1

***** VACATED *** REASON: CONTINUED TO DECEMBER 4, 2019 AT
9:00 A.M. PER ORDER CONTINUING STATUS CONFERENCE IN
ADVERSARY PROCEEDING ENTERED 11-18-19 - (DOCKET NO. [11])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Heidi Crawford

Represented By
Richard G Heston

Defendant(s):

Heidi Crawford

Pro Se

Plaintiff(s):

New Deco Arts & Crafts Co Ltd

Represented By
Zheng Liu

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 27, 2019

Hearing Room 6C

9:00 AM

8:19-12113 Heidi Crawford

Chapter 7

Adv#: 8:19-01178 New Deco Arts & Crafts Co Ltd v. Crawford

#2.10

Hearing RE: Plaintiff's Motion To Strike Defendant's Answer And Affirmative Defenses
(Motion filed 10/31/19)

Docket 4

***** VACATED *** REASON: CONTINUED TO DECEMBER 4, 2019 AT
9:00 A.M. PER ORDER CONTINUING HEARING ON MOTION TO
STRIKE ANSWER ENTERED 11-18-19 - (DOCKET NO. [12])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Heidi Crawford

Represented By
Richard G Heston

Defendant(s):

Heidi Crawford

Pro Se

Plaintiff(s):

New Deco Arts & Crafts Co Ltd

Represented By
Zheng Liu

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 27, 2019

Hearing Room 6C

9:00 AM

8:19-12113 Heidi Crawford

Chapter 7

Adv#: 8:19-01179 DX Home Designs Inc. v. Crawford et al

#3.00

STATUS CONFERENCE Hearing RE: Adversary Complaint For Non-Dischargeability Of Debt Under:

- (1) 11 U.S.C. Section 523(a)(2)(A) For Property Obtained By False Pretenses, False Representation And Fraud [Section 523(a)(2)];
- (2) 11 U.S.C. Section 523(a)(4) Fraud Or Defalcation While Acting In A Fiduciary Capacity, Embezzlement Or Larceny;
- (3) 11 U.S.C. Section 523(a)(6) Willful And Malicious Injury; Adversary For Denial Of Discharge Under:
- (4) 11 U.S.C. Sections 727(A)(3) For Failure To Maintain And Preserve Adequate Records;
- (5) 727(a)(4)(A) For Denial Of Discharge For False Oaths In Bankruptcy Documents; And
- (6) 11 U.S.C. Section 727 (A)(5) For Failure To Explain Loss Of Assets (Complaint filed 9/6/19)

Docket 1

***** VACATED *** REASON: CONTINUED TO DECEMBER 4, 2019 AT 9:00 A.M. PER ORDER CONTINUING STATUS CONFERENCE IN ADVERSARY PROCEEDING ENTERED 11-18-19 - (DOCKET NO. [28])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Heidi Crawford

Represented By
Richard G Heston

Defendant(s):

Style House Inc.

Pro Se

Michael Dean Crawford

Pro Se

Heidi Crawford

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 27, 2019

Hearing Room 6C

9:00 AM

CONT... Heidi Crawford

Chapter 7

Plaintiff(s):

DX Home Designs Inc.

Represented By
Michael Jay Berger

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 27, 2019

Hearing Room 6C

9:00 AM

8:19-12113 Heidi Crawford

Chapter 7

Adv#: 8:19-01179 DX Home Designs Inc. v. Crawford et al

#3.10

Hearing RE: Plaintiff DX Home Design, Inc.'s Motion To Strike Defendant Heidi Crawford's Answer And Affirmative Defenses
(Motion filed 10/30/19)

Docket 18

***** VACATED *** REASON: CONTINUED TO DECEMBER 4, 2019 AT
9:00 A.M. PER ORDER CONTINUING HEARING ON MOTION TO
STRIKE DEFENDANT'S ANSWER AND AFFIRMATIVE DEFENSES
ENTERED 11-19-19 - DOCKET NO. [66]**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Heidi Crawford

Represented By
Richard G Heston

Defendant(s):

Heidi Crawford

Pro Se

Michael Dean Crawford

Pro Se

Style House Inc.

Pro Se

Plaintiff(s):

DX Home Designs Inc.

Represented By
Michael Jay Berger

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 27, 2019

Hearing Room 6C

9:00 AM

8:19-12113 Heidi Crawford

Chapter 7

Adv#: 8:19-01182 Amerifactors Financial Group, LLC v. Crawford et al

#4.00

STATUS CONFERENCE Hearing RE: Amended Adversary Complaint For Nondischargeability Of Debt Pursuant To 11 U.S.C. Sections 523(a)(2)(A), (a)(2)(B), (a)(4), And (a)(6)
(Complaint filed 9/9/19)
(Amended Complaint filed 9/11/19)

Docket 1

***** VACATED *** REASON: CONTINUED TO JANUARY 22, 2020 AT 9:00 A.M. PER ANOTHER SUMMONS ISSUED 10-23-19 - [DOCKET NO. [12]]**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Heidi Crawford

Represented By
Richard G Heston

Defendant(s):

Michael Crawford

Pro Se

Heidi Crawford

Pro Se

Plaintiff(s):

Amerifactors Financial Group, LLC

Represented By
Jon N Owens

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 27, 2019

Hearing Room 6C

9:00 AM

8:19-12127 Richard J. Kelly

Chapter 7

Adv#: 8:19-01183 Brinks, MD et al v. Kelly

#5.00

STATUS CONFERENCE Hearing RE: Complaint To Determine Dischargeability
Of Debt Under 11 U.S.C. Sections 523(a)(4) And 523(a)(6)
(Complaint filed 9/9/19)

Docket 1

***** VACATED *** REASON: CONTINUED TO DECEMBER 4, 2019 AT
9:00 A.M. PER ORDER CONTINUING STATUS CONFERENCE IN
ADVERSARY PROCEEDING ENTERED 11-18-19 - (DOCKET NO. [7])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Richard J. Kelly

Represented By
J Scott Williams

Defendant(s):

Richard J. Kelly

Pro Se

Joint Debtor(s):

Mary J. Kelly

Represented By
J Scott Williams

Plaintiff(s):

Heinrich A Brinks, MD

Represented By
Brett Ramsaur

James Emory Field, MD, Inc.

Represented By
Brett Ramsaur

Arno H Hanel, MD

Represented By
Brett Ramsaur

Michael J Herhusky, MD, Inc.

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 27, 2019

Hearing Room 6C

9:00 AM

CONT...

Richard J. Kelly

Chapter 7

Brett Ramsaur

Joel Nagafuji, MD, Inc.

Represented By
Brett Ramsaur

Andrey Rychkov, MD, Inc.

Represented By
Brett Ramsaur

Michael C. Scannell, MD, Inc.

Represented By
Brett Ramsaur

Scherling Medical, Inc.

Represented By
Brett Ramsaur

Stackpole, MD, Inc.

Represented By
Brett Ramsaur

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 27, 2019

Hearing Room 6C

9:00 AM

8:19-12375 South Coast Behavioral Health, Inc.

Chapter 11

Adv#: 8:19-01167 Complete Business Solutions Group, Inc. v. South Coast Behavioral Health,

#6.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Determine Ownership In Accounts Receivable And The Proceeds
[S/C RE: Plaintiff's action against South Coast Behavioral Health, Inc., Reliable Fast Cash, LLC, Ikhan Capital, LLC, Bridge Funding Capital, LLC, FID Funding and BMF Capital, LLC (ONLY) per Order Entered 10/7/19]
(Complaint Filed 8/8/19)

FR: 11-6-19

Docket 1

***** VACATED *** REASON: CONTINUED TO JANUARY 29, 2020 AT 9:00 A.M. PER ANOTHER SUMMONS ISSUED 11-13-19 - (DOCKET NO. [16])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

South Coast Behavioral Health, Inc.

Represented By
Michael N Nicaastro
Sean A OKeefe

Defendant(s):

BMF Capital LLC	Pro Se
FID Funding	Pro Se
West Coast Business Capital LLC,	Pro Se
Bridge Funding Capital LLC,	Pro Se
Ikhan Capital LLC,	Pro Se
Reliable Fast Cash LLC	Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 27, 2019

Hearing Room 6C

9:00 AM

CONT... South Coast Behavioral Health, Inc.
South Coast Behavioral Health, Inc. Pro Se

Chapter 11

Plaintiff(s):

Complete Business Solutions Group, Represented By
Karel G Rocha

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 27, 2019

Hearing Room 6C

9:00 AM

8:19-13571 Anthony Afshin Kashani

Chapter 11

#7.00

STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case; And (2) Requiring Report On Status Of Chapter 11 Case (Petition filed 9/13/19)

Docket 1

***** VACATED *** REASON: CONTINUED TO DECEMBER 4, 2019 AT 9:00 A.M. PER ORDER CONTINUING STATUS CONFERENCE IN CHAPTER 11 CASE ENTERED 11-18-19 (DOCKET NO. [27])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Anthony Afshin Kashani

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 27, 2019

Hearing Room 6C

2:00 PM

8:16-11202 QF Liquidation Inc.

Chapter 11

#1.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 case
(Petition filed 3/22/16)

FR: 6-1-16; 8-24-16; 10-12-16; 1-25-17; 2-8-17; 5-31-17; 10-18-17; 1-31-18;
5-2-18; 7-25-18; 11-14-18; 4-17-19; 6-19-19

Docket 1

***** VACATED *** REASON: CONTINUED TO DECEMBER 4, 2019 AT
2:00 P.M. PER ORDER CONTINUING STATUS CONFERENCE
ENTERED 11-18-19 - (DOCKET NO. [705])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

QF Liquidation Inc.

Represented By
Marshall J Hogan
Victor A Vilaplana

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 27, 2019

Hearing Room 6C

2:00 PM

8:19-10212 Hill Concrete Structures

Chapter 11

#2.00

Hearing RE: Motion For Order Approving Disclosure Statement As Containing Adequate Information Pursuant To Bankruptcy Code Section 1125(a)(1); (b) (Motion filed 10/4/19) (D.S. filed 10/4/19)

Docket 91

***** VACATED *** REASON: CONTINUED TO DECEMBER 4, 2019 AT 2:00 P.M. PER ORDER CONTINUING HEARING RE MOTION FOR APPROVAL OF DISCLOSURE STATEMENT ENTERED 11-18-19 - (DOCKET NO. [110])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Hill Concrete Structures

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 27, 2019

Hearing Room 6C

2:00 PM

8:19-10212 Hill Concrete Structures

Chapter 11

#3.00

CONT'D Hearing RE: Motion By United States Trustee To Dismiss Case Or Convert Case To One Under Chapter 7 Pursuant To 11 U.S.C. Section 1112(b) (Motion filed 9/17/19)

FR: 10-21-19

Docket 81

***** VACATED *** REASON: CONTINUED TO DECEMBER 4, 2019 AT 2:00 P.M. PER ORDER CONTINUING HEARING ON UNITED STATES TRUSTEE'S MOTION TO DISMISS OR CONVERT CASE ENTERED 11-18-19 - (DOCKET NO. [109])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Hill Concrete Structures

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 27, 2019

Hearing Room 6C

2:00 PM

8:18-10013 Fred Asafu-Adjaye and Esther Asafu-Adjaye

Chapter 11

#4.00

Hearing RE: Confirmation Of First Amended Chapter 11 Plan Of Reorganization
(First Amended D.S. approved 8/14/19)
(Confirmation hearing set at D.S. hearing held 8/14/19)

FR: 6-19-19; 8-14-19; 10-30-19

Docket 147

***** VACATED *** REASON: CONTINUED TO DECEMBER 4, 2019 AT
2:00 P.M. PER ORDER CONTINUING STATUS CONFERENCE
ENTERED 11-13-19 - (DOCKET NO. [158])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Fred Asafu-Adjaye

Represented By
Lionel E Giron
Crystle Jane Lindsey

Joint Debtor(s):

Esther Asafu-Adjaye

Represented By
Lionel E Giron
Crystle Jane Lindsey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 27, 2019

Hearing Room 6C

2:00 PM

8:18-10013 Fred Asafu-Adjaye and Esther Asafu-Adjaye

Chapter 11

#5.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 1/3/18)

FR: 3-7-18, 7-11-18; 10-24-18;11-14-18; 12-12-18; 5-8-19; 6-19-19; 8-14-19;
10-30-19

Docket 1

***** VACATED *** REASON: CONTINUED TO DECEMBER 4, 2019 AT
2:00 P.M. PER ORDER CONTINUING STATUS CONFERENCE
ENTERED 11-13-19 - (DOCKET NO. [157])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Fred Asafu-Adjaye

Represented By
Kevin Tang

Joint Debtor(s):

Esther Asafu-Adjaye

Represented By
Kevin Tang

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 2, 2019

Hearing Room 6C

9:00 AM

8:16-10755 Jarinporn Oonpanyo

Chapter 13

#1.00

Motion for relief from stay [Real Property]

PNC Bank, National Association, Its Assignees And/Or Successors vs. DEBTOR
(Motion filed 11/7/19)

[RE: 8642 Oasis Avenue, Westminster, CA 92683]

Docket 92

Tentative Ruling:

APPEARANCES REQUIRED.

The motion is granted pursuant to 11 U.S.C. § 362(d)(1) to permit movant, its successors, transferees and assigns, to enforce its remedies to foreclose upon and obtain possession of the subject property in accordance with applicable law, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Jarinporn Oonpanyo

Represented By
Todd B Becker

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 2, 2019

Hearing Room 6C

9:00 AM

8:19-12127 Richard J. Kelly and Mary J. Kelly

Chapter 7

#2.00

Motion for relief from stay [Personal Property]

JPMorgan Chase Bank, N.A. vs. DEBTORS
(Motion filed 11/8/19)

[RE: 2017 Maserati Ghibli - VIN No.ZAM57RSA0H1234040]

Docket 26

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Richard J. Kelly

Represented By
J Scott Williams

Joint Debtor(s):

Mary J. Kelly

Represented By
J Scott Williams

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 2, 2019

Hearing Room 6C

9:00 AM

CONT... Richard J. Kelly and Mary J. Kelly

Chapter 7

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 2, 2019

Hearing Room 6C

9:00 AM

8:19-12428 Bret Morris

Chapter 13

#3.00

Motion for relief from stay [Real Property]

Wells Fargo Bank, N.A., As Trustee For The Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2005-NC2, It Assignees And/Or Successors vs. DEBTOR
(Motion filed 11/4/19)

[RE: 24192 Zancon, Mission Viejo, CA 92692]

Docket 61

Tentative Ruling:

APPEARANCES REQUIRED.

The motion is granted pursuant to 11 U.S.C. § 362(d)(1) to permit movant, its successors, transferees and assigns, to enforce its remedies to foreclose upon and obtain possession of the subject property in accordance with applicable law, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

The co-debtor stay provided by 11 U.S.C. § 1301 is terminated.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 2, 2019

Hearing Room 6C

9:00 AM

CONT... Bret Morris

Chapter 13

Debtor(s):

Bret Morris

Represented By
Joseph W Creed

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 2, 2019

Hearing Room 6C

9:00 AM

8:19-13329 Carlos Cuevas

Chapter 7

#4.00

Motion for relief from stay [Personal Property]

Bank Of America, N.A. vs. DEBTOR
(Motion filed 11/6/19)

[RE: N 2017 Nissan Sentra - VIN No.: 3N1AB7AP3HY299765]

Docket 10

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Carlos Cuevas

Represented By
Jacqueline D Serrao

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 2, 2019

Hearing Room 6C

9:00 AM

8:19-13374 Martha S Adair

Chapter 11

#5.00

Motion for relief from stay [Personal Property]

Toyota Motor Credit Corporation vs. DEBTOR
(Motion filed 10/31/19)

[RE: 2018 Toyota Tacoma - VIN No.: 5TFRX5GN8JX110823]

Docket 30

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The motion is granted pursuant to 11 U.S.C. § 362(d)(1) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Martha S Adair

Represented By
Jeffrey I Golden
Reem J Bello

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 2, 2019

Hearing Room 6C

9:00 AM

8:19-14369 Joanna Sue Brownfield

Chapter 7

#6.00

Motion for relief from stay [Unlawful Detainer]

U.S. Reif MG Madison Park CA, LLC vs. DEBTOR
(Motion filed 11/13/19)

[RE: 277 South Brookhurst #C-103, Anaheim, CA 92804]

Docket 9

Tentative Ruling:

APPEARANCES REQUIRED.

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1). This motion has been filed to proceed with an unlawful detainer action. This action must go forward because the debtor's right to possess the premises must be determined. This does not change simply because a bankruptcy petition was filed. The granting of this motion will permit the movant to exercise its rights under state law with respect to the subject property.

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Joanna Sue Brownfield

Represented By
James D. Hornbuckle

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 2, 2019

Hearing Room 6C

2:00 PM

8:15-13556 John Olaf Halvorson

Chapter 7

Adv#: 8:17-01119 Kosmala et al v. Pacific Commercial Group, LLC et al

#1.00

Hearing RE: Whether Adversary Proceeding Should Be Stayed
(Set per Order Entered 10-18-19)

Docket 71

Tentative Ruling:

APPEARANCES REQUIRED.

For reasons of judicial economy, the Court concludes that the 8:17-ap-01119 Action should remain stayed until the recusal appeal is determined.

The Court sets a further status conference in the 8:17-ap-01119 Action for April 15, 2020, at 9:00 a.m. with an updated status report due April 1, 2020.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

John Olaf Halvorson

Represented By
Marc C Forsythe
Charity J Manee

Defendant(s):

Pacific Commercial Group, LLC

Represented By
Steven J. Katzman
Ali Matin
Kyle Kveton

Baek Family Partnership, LLC

Represented By
Steven J. Katzman
Ali Matin

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 2, 2019

Hearing Room 6C

2:00 PM

CONT... John Olaf Halvorson

Chapter 7

	Kyle Kveton
Baek 124, LLC	Represented By Steven J. Katzman Ali Matin Kyle Kveton
Baek Holdings, LLC	Represented By Steven J. Katzman Ali Matin Kyle Kveton
Baek 153, LLC	Represented By Steven J. Katzman Ali Matin Kyle Kveton
RGJ Baek, LLC	Represented By Steven J. Katzman Ali Matin Kyle Kveton
Richard Baek	Represented By Steven J. Katzman Ali Matin Kyle Kveton
Grace Baek	Represented By Steven J. Katzman Ali Matin Kyle Kveton

Plaintiff(s):

Weneta M.A. Kosmala	Represented By Reem J Bello Jeffrey I Golden
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Trustee(s):

Weneta M Kosmala (TR)	Represented By
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 2, 2019

Hearing Room 6C

2:00 PM

CONT...

John Olaf Halvorson

Reem J Bello
Faye C Rasch
Jeffrey I Golden

Chapter 7

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 2, 2019

Hearing Room 6C

2:00 PM

8:16-11202 QF Liquidation Inc.

Chapter 11

#2.00

Hearing RE: Final Fee Application For Allowance Of Compensation /And Reimbursement Of Expenses For The Period From March 22, 2016 Through September 30, 2019
(Motion filed 10/21/19)

**[RE: FOLEY & LARDNER, LLP - Attorneys For Debtor]
[Fee: \$1,193,412.25; Expenses: \$26,207.90]**

Docket 696

Tentative Ruling:

APPEARANCES REQUIRED.

The Court intends to grant the motion.

The Court will allow attorney's fees to Foley & Lardner LLP of \$1,193,412.25 on a final basis and costs and expenses on a final basis of \$26,207.90, with payment subject to the Professional Fees Cap.

APPLICANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

QF Liquidation Inc.

Represented By
Marshall J Hogan
Victor A Vilaplana

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 2, 2019

Hearing Room 6C

2:00 PM

8:16-11202 QF Liquidation Inc.

Chapter 11

#3.00

Hearing RE: Final Fee Application For Allowance Of Compensation And Reimbursement Of Expenses For The Period From March 22, 2016 Through August 31, 2016
(Motion filed 10/21/19)

**[RE: KERR, RUSSELL And WEBER, PLC - Special Corporate Counsel]
[Fees: \$46,654.50; Expenses: \$1,370.05]**

Docket 697

Tentative Ruling:

APPEARANCES REQUIRED.

The Court intends to grant the motion.

The Court will allow attorney's fees of \$46,654.50 and costs and expenses of \$1,370.05 to Kerr, Russel, & Weber PLC on a final basis, and will allow all fees and expenses previously awarded as final compensation.

FOLEY & LARDNER LLP TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

QF Liquidation Inc.

Represented By
Marshall J Hogan
Victor A Vilaplana

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 2, 2019

Hearing Room 6C

2:00 PM

8:16-11202 QF Liquidation Inc.

Chapter 11

#4.00

Hearing RE: Application For Payment Of Final Fees And/Or Expenses For The Period From April 5, 2016 Through July 31, 2019.
(Motion filed 10/17/2019)

**[RE: DLA PIPER, LLP (US), SUCCESSOR BY MERGER TO LINER LLP -
Attorneys For Official Committee Of Unsecured Creditors]
[Fees: \$366,844.00; Expenses: \$4,602.71]**

Docket 695

Tentative Ruling:

APPEARANCES REQUIRED.

The Court intends to grant the motion.

The Court will approve on a final basis, attorney's fees of \$366,844.00 and expenses of \$4,602.71. Prior interim fee awards are confirmed.

DLA PIPER LLP TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

QF Liquidation Inc.

Represented By
Marshall J Hogan
Victor A Vilaplana

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, December 3, 2019

Hearing Room 225

9:00 AM

6:19-19492 Suechada Rose Walker

Chapter 7

#1.00

Kimball, Tirey & St. John LLP - movant attorney

Motion for Relief from Stay

Canterra I, LLC vs. DEBTOR
(Motion filed 11/6/19)

Re: 74-401 Hovley Lane East, Unit #2027, Palm Desert, CA 92260

Docket 10

Tentative Ruling:

APPEARANCES REQUIRED.

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2). This motion has been filed to proceed with an unlawful detainer action. This action must go forward because the debtor's right to possess the premises must be determined. This does not change simply because a bankruptcy petition was filed. The granting of this motion will permit the movant to exercise its rights under state law with respect to the subject property.

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Suechada Rose Walker

Pro Se

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, December 3, 2019

Hearing Room 225

2:00 PM

6:18-19048 Mark W Scarlatelli

Chapter 7

#1.00

Hrg. on chapter 7 trustee's Motion filed 11/8/19 to Approve Settlement Agreement Between Estate of Debtor and Estate of Debtor's Ex-Wife Mischelynn Scarlatelli

Docket 41

Tentative Ruling:

APPEARANCES REQUIRED.

The motion seeks Court approval of a settlement between the chapter 7 trustee of Mark Scarlatelli's bankruptcy estate ("Mr. Cisneros") and the chapter 7 trustee in the previously closed but now reopened chapter 7 case of Mr. Scarlatelli's former spouse, Mischelynn Scarlatelli ("Mischelynn"). Mischelynn opposes Court approval of the settlement. She argues that the settlement agreement improperly lays the groundwork for the pursuit of frivolous litigation against her and that Stephen Wade, Esq., the attorney being retained by Mr. Cisneros pursuant to the settlement agreement, is not disinterested because he previously lost previous litigation against Mischelynn and now is seeking a second bite at the apple, as the saying goes (or a seventh bite as Mischelynn probably would argue).

If the Court approves the settlement agreement and Mr. Wade becomes counsel to Mr. Cisneros, his position as counsel entails fiduciary duties to Mr. Cisneros and the bankruptcy estate. He will be under a duty to advise Mr. Cisneros – if such are the facts – that the proposed litigation is frivolous and a waste of time and money. Based upon the presence of these fiduciary duties and *In re Film Ventures Int'l, Inc.*, 75 B.R. 250 (B.A.P. 9th Cir. 1987), the Court does not at the present time find any prohibitions against Mr. Wade's employment or any reason why the settlement agreement should be disapproved.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, December 3, 2019

Hearing Room 225

2:00 PM

CONT... Mark W Scarlatelli

Chapter 7

All rights are reserved to Mischelynn to move for appropriate relief in the event this Court were to subsequently determine that any litigation brought by Mr. Cisneros against Mischelynn was in any way frivolous or otherwise improper.

The Court grants the motion.

Party Information

Debtor(s):

Mark W Scarlatelli

Represented By
Stephen R Wade

Trustee(s):

Arturo Cisneros (TR)

Represented By
Chad V Haes
Tinho Mang

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, December 3, 2019

Hearing Room 225

2:00 PM

6:19-17552 RVT Inc

Chapter 11

#2.00

Hrg. on Application filed 10/18/19 to Employ Julie J Villalobos as General Bankruptcy Counsel

Docket 57

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into the United States Trustee's position as to the adequacy of Debtor's and Counsel's disclosures as supplemented in Debtor's Reply. Is the United State's Trustee now requesting additional time for discovery?

Party Information

Debtor(s):

RVT Inc

Represented By
Julie J Villalobos

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Wednesday, December 4, 2019

Hearing Room 225

9:00 AM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

#1.00

Hrg. on Chapter 11 Status Conference

(cont. from 8/21/19)

Docket 0

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the status conference to December 11, 2019 at 2:00 p.m. in Courtroom 301 in Riverside.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 4, 2019

Hearing Room 6C

9:00 AM

8:17-11749 Dean Lavar Corbin and Lianne Corbin

Chapter 11

#2.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 5/2/17)

FR: 7-5-17; 11-15-17; 3-7-18; 6-13-18; 10-24-18; 12-12-18; 1-23-19; 3-13-19;
6-26-19; 8-21-19

Docket 0

***** VACATED *** REASON: OFF CALENDAR - ORDER GRANTING
IN PART CREDITOR DANIEL NESKOVIC'S MOTION TO DISMISS
CHAPER 11 BANKRUPTCY CASE ENTERED 10-25-19 - (DOCKET NO.
[263])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Dean Lavar Corbin

Represented By
Michael Jones

Joint Debtor(s):

Lianne Corbin

Represented By
Michael Jones

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 4, 2019

Hearing Room 6C

9:00 AM

8:17-14165 Bill Vivers

Chapter 7

Adv#: 8:18-01017 Lake v. Vivers et al

#3.00

STATUS CONFERENCE Hearing RE: Complaint To Determine The Dischargeability Of A Certain Debt (Complaint filed 1/26/18) (S/C set per Order entered 8/30/18)

FR: 4-25-18; 8-30-18

Docket 1

***** VACATED *** REASON: OFF CALENDAR - JUDGMENT ON NONDISCHARGEABILITY OF DEBT ENTERED 2-15-19 - (DOCKET NO. [15])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Bill Vivers

Represented By
Gary Polston

Defendant(s):

Juliette Vivers

Represented By
Christopher P Walker

Bill Vivers

Represented By
Christopher P Walker

Joint Debtor(s):

Julliette Vivers

Represented By
Gary Polston

Plaintiff(s):

Ryan Lake

Represented By
Mitchell B Hannah

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 4, 2019

Hearing Room 6C

9:00 AM

CONT... Bill Vivers

Chapter 7

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 4, 2019

Hearing Room 6C

9:00 AM

8:16-13380 Eric Martinson

Chapter 11

#4.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 8/9/16)

FR: 10-12-16; 11-9-16; 2-15-17; 5-3-17; 9-27-17, 12-13-17; 2-28-18; 6-6-18;
10-17-18; 1-30-19; 6-26-19; 8-21-19

Docket 8

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the status conference to December 16, 2019, at 2:00 p.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Eric Martinson

Represented By
Richard Lynn Barrett

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 4, 2019

Hearing Room 6C

9:00 AM

8:18-10203 Phillip Barry Greer

Chapter 7

Adv#: 8:18-01075 Street v. Greer et al

#5.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: First Amended Complaint
For:

- (1) Determination Of Non-Dischargeability Of Debt;
- (2) Determination Of Non-Dischargeability Of Debt;
- (3) Determination Of Non-Dischargeability Of Debt;
- (4) Declaratory Relief RE: Determination Of Validity, Priority Or Extent Of Interest In Real Property and Personal Property
(Complaint filed 4/26/18) (First Amended Complaint filed 5/30/18)
(Another Summons Issued 5/31/18)
(PTC set at S/C held 1/23/19)

[10-10-18 - Arlene Greer aka Arlene Biden ONLY dismissed -docket no. [47]

FR: 7-25-18; 8-29-18; 10-24-18; 11-14-18; 1-23-19

Docket 8

***** VACATED *** REASON: OFF CALENDAR - PER ORDER RE:
REQUEST FOR RECONSIDERATION AND CLARIFICATION OF
RULING GRANTING CHRISS STREET RELIEF FROM STAY AND
SETTING STATUS CONFERENCE ENTERED 10-7-19 - (DOCKET NO.
[99])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Phillip Barry Greer	Pro Se
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Defendant(s):

Arlene C. Greer	Pro Se
Phillip Barry Greer	Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 4, 2019

Hearing Room 6C

9:00 AM

CONT... Phillip Barry Greer

Chapter 7

Plaintiff(s):

Chriss W. Street

Represented By
Timothy C Aires

Trustee(s):

Richard A Marshack (TR)

Represented By
James C Bastian Jr

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 4, 2019

Hearing Room 6C

9:00 AM

8:18-10203 Phillip Barry Greer

Chapter 7

Adv#: 8:18-01075 Street v. Greer et al

#6.00

CONT'D STATUS CONFERENCE Hearing RE: Second Amended Complaint
For:

- (1) Determination Of Non-Dischargeability Of Debt;
- (2) Determination Of Non-Dischargeability Of Debt;
- (3) Determination Of Non-Dischargeability Of Debt;
- (4) Declaratory Relief RE: Determination Of Validity, Priority Or Extent Of Interest In Real Property and Personal Property
(Complaint filed 4/26/18) (First Amended Complaint filed 5/30/18)
(Second Amended Complaint filed 11/27/19)
(Another Summons Issued 5/31/18)
(PTC set at S/C held 1/23/19)

[10-10-18 - Arlene Greer aka Arlene Biden ONLY dismissed -docket no. [47]

FR: 7-25-18; 8-29-18; 10-24-18; 11-14-18; 1-23-19; 10-9-19

Docket 8

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into whether: (1) Defendant has answered the complaint, and
(2) a scheduling order should be entered in this adversary proceeding.

Party Information

Debtor(s):

Phillip Barry Greer	Pro Se
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Defendant(s):

Arlene C. Greer	Pro Se
Phillip Barry Greer	Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 4, 2019

Hearing Room 6C

9:00 AM

CONT... Phillip Barry Greer

Chapter 7

Plaintiff(s):

Chriss W. Street

Represented By
Timothy C Aires

Trustee(s):

Richard A Marshack (TR)

Represented By
James C Bastian Jr

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 4, 2019

Hearing Room 6C

9:00 AM

8:18-10324 Alexander Mark Christian Isaly

Chapter 7

Adv#: 8:18-01083 B3 FIT, INC et al v. Isaly

#7.00

CONT'D PRE-TRIAL CONFERENCE RE: Complaint To Determine Dischargeability Of Debt Pursuant To 11 U.S.C. Sections 523(a)(4) And (6) (Complaint filed 5/11/18)
(PTC set at S/C held 8/1/18)
(PTC reset at 2/27/19 hearing on Motion [docket no. [12]])

FR: 8-1-18; 8-1-18; 3-27-19

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Alexander Mark Christian Isaly

Represented By
Anthony B Vigil

Defendant(s):

Alexander Mark Christian Isaly

Pro Se

Joint Debtor(s):

Michele Leann Isaly

Represented By
Anthony B Vigil

Plaintiff(s):

Tina Shorter

Represented By
Ian Landsberg

Terence Shorter

Represented By
Ian Landsberg

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 4, 2019

Hearing Room 6C

9:00 AM

CONT... Alexander Mark Christian Isaly

Chapter 7

B3 FIT, INC

Represented By
Ian Landsberg

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 4, 2019

Hearing Room 6C

9:00 AM

8:18-12541 Scott Lawrence Chappell

Chapter 7

Adv#: 8:19-01194 Casey v. Chappell et al

#8.00

Hearing RE: Motion Of Debtor/Defendant To Dismiss Complaint Pursuant To FRBP 7012 And FRCP 12(b)(6) Or, Alternatively For A More Definite Statement (Motion filed 12/4/19)

Docket 7

*** VACATED *** REASON: OFF CALENDAR - VOLUNTARY
WITHDRAWAL OF DEBTOR/DEFENDANTS' MOTION FILED 11-26-19-
(DOCKET NO. [12])

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Scott Lawrence Chappell

Represented By
Stephen E Olear

Defendant(s):

William Chappell

Represented By
Stephen A Madoni

Russell Chappell

Represented By
Stephen A Madoni

Joint Debtor(s):

Alicia Woolsey

Represented By
Stephen E Olear

Plaintiff(s):

Thomas H. Casey

Represented By
Thomas H Casey

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 4, 2019

Hearing Room 6C

9:00 AM

CONT... Scott Lawrence Chappell

Chapter 7

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 4, 2019

Hearing Room 6C

9:00 AM

8:19-10198 Allan Eli Gindi and Carol June Gindi

Chapter 11

#9.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 1/18/19)

FR: 3-20-19; 8-14-19

Docket 1

***** VACATED *** REASON: CONTINUED TO JANUARY 23, 2020 At
2:00 P.M. PER ORDER CONTINUING CHAPTER 11 STATUS
CONFERENCE ENTERED 12-3-19 - (DOCKET NO. [293])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Allan Eli Gindi

Represented By
Michael R Totaro

Joint Debtor(s):

Carol June Gindi

Represented By
Michael R Totaro

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 4, 2019

Hearing Room 6C

9:00 AM

8:19-12127 Richard J. Kelly

Chapter 7

Adv#: 8:19-01183 Brinks, MD et al v. Kelly

#10.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Determine Dischargeability Of Debt Under 11 U.S.C. Sections 523(a)(4) And 523(a)(6) (Complaint filed 9/9/19)

FR: 11-27-19

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

Based upon the parties' request, the Court will send this adversary proceeding into mediation. The parties shall file a mediation stipulation and lodge an order therein on or before January 31, 2020. The Court continues this status conference to April 22, 2020 at 2:00 p.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Richard J. Kelly

Represented By
J Scott Williams

Defendant(s):

Richard J. Kelly

Pro Se

Joint Debtor(s):

Mary J. Kelly

Represented By
J Scott Williams

Plaintiff(s):

Heinrich A Brinks, MD

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 4, 2019

Hearing Room 6C

9:00 AM

CONT...

Richard J. Kelly

Chapter 7

Brett Ramsaur

James Emory Field, MD, Inc.

Represented By
Brett Ramsaur

Arno H Hanel, MD

Represented By
Brett Ramsaur

Michael J Herhusky, MD, Inc.

Represented By
Brett Ramsaur

Joel Nagafuji, MD, Inc.

Represented By
Brett Ramsaur

Andrey Rychkov, MD, Inc.

Represented By
Brett Ramsaur

Michael C. Scannell, MD, Inc.

Represented By
Brett Ramsaur

Scherling Medical, Inc.

Represented By
Brett Ramsaur

Stackpole, MD, Inc.

Represented By
Brett Ramsaur

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 4, 2019

Hearing Room 6C

9:00 AM

8:19-13571 Anthony Afshin Kashani

Chapter 11

#11.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 9/13/19)

FR: 11-27-19

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER VACATING
STATUS CONFERENCE ENTERED 11-20-19 - (DOCKET NO. [42])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Anthony Afshin Kashani

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 4, 2019

Hearing Room 6C

9:00 AM

8:19-12113 Heidi Crawford

Chapter 7

Adv#: 8:19-01178 New Deco Arts & Crafts Co Ltd v. Crawford

#12.00

CONT'D Hearing RE: Plaintiff's Motion To Strike Defendant's Answer And Affirmative Defenses
(Motion filed 10/31/19)

FR: 11-27-19

Docket 4

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion with leave to the Defendant to amend her answer on or before 21 days after entry of the order granting the motion.

PLAINTIFF TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Heidi Crawford

Represented By
Richard G Heston

Defendant(s):

Heidi Crawford

Pro Se

Plaintiff(s):

New Deco Arts & Crafts Co Ltd

Represented By
Zheng Liu

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 4, 2019

Hearing Room 6C

9:00 AM

8:19-12113 Heidi Crawford

Chapter 7

Adv#: 8:19-01178 New Deco Arts & Crafts Co Ltd v. Crawford

#13.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Determination Of Dischargeability And Objecting To Debtor's Discharge Pursuant To Sections 523 And 727 Of The Bankruptcy Code
(Complaint filed 9/6/19)

FR: 11-27-19

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the Status Conference to February 19, 2020, at 9:00 a.m. An updated status report is due on or before February 5, 2020.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Heidi Crawford

Represented By
Richard G Heston

Defendant(s):

Heidi Crawford

Pro Se

Plaintiff(s):

New Deco Arts & Crafts Co Ltd

Represented By
Zheng Liu

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 4, 2019

Hearing Room 6C

9:00 AM

8:19-10616 Robert Michael Elliott

Chapter 7

Adv#: 8:19-01079 Cochrane v. Elliot

#14.00

CONT'D Hearing RE: Motion To Dismiss Amended Complaint To Determine Dischargeability Of Debt Under 11 U.S.C. Sections 523(a)(2)(A) [FRBP 7012 And 7009]
(Motion filed 10/7/19)

FR: 11-27-19

Docket 19

Tentative Ruling:

APPEARANCES REQUIRED.

Deny in part; grant in part with leave to amend.

The motion is granted as to the internet advertising claim because no detail is provided in the complaint as to the website addresses (URLs) where such claims were made and on what dates Plaintiff visited those websites. Plaintiff shall amend the complaint within 20 days of the date of entry of the order granting in part and denying in part the motion.

PLAINTIFF TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Robert Michael Elliott

Represented By
Renee Nasiri

Defendant(s):

Robert Michael Elliot

Represented By
David R Flyer

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 4, 2019

Hearing Room 6C

9:00 AM

CONT... Robert Michael Elliott

Chapter 7

Plaintiff(s):

Kevin Cochrane

Represented By
Jason P. Saccuzzo
John W Cutchin
Michael W Vivoli

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 4, 2019

Hearing Room 6C

9:00 AM

8:19-12113 Heidi Crawford

Chapter 7

Adv#: 8:19-01179 DX Home Designs Inc. v. Crawford et al

#15.00

CONT'D Hearing RE: Plaintiff DX Home Design, Inc.'s Motion To Strike Defendant Heidi Crawford's Answer And Affirmative Defenses (Motion filed 10/30/19)

FR: 11-27-19

Docket 18

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion with leave to Defendant to amend the answer on or before 21 days after entry of the order granting the motion.

PLAINTIFF TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Heidi Crawford

Represented By
Richard G Heston

Defendant(s):

Heidi Crawford

Pro Se

Michael Dean Crawford

Pro Se

Style House Inc.

Pro Se

Plaintiff(s):

DX Home Designs Inc.

Represented By
Michael Jay Berger

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 4, 2019

Hearing Room 6C

9:00 AM

CONT... Heidi Crawford

Chapter 7

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 4, 2019

Hearing Room 6C

9:00 AM

8:19-12113 Heidi Crawford

Chapter 7

Adv#: 8:19-01179 DX Home Designs Inc. v. Crawford et al

#16.00

CONT'D STATUS CONFERENCE Hearing RE: Adversary Complaint For Non-Dischargeability Of Debt Under:

- (1) 11 U.S.C. Section 523(a)(2)(A) For Property Obtained By False Pretenses, False Representation And Fraud [Section 523(a)(2)];
- (2) 11 U.S.C. Section 523(a)(4) Fraud Or Defalcation While Acting In A Fiduciary Capacity, Embezzlement Or Larceny;
- (3) 11 U.S.C. Section 523(a)(6) Willful And Malicious Injury; Adversary For Denial Of Discharge Under:
- (4) 11 U.S.C. Sections 727(A)(3) For Failure To Maintain And Preserve Adequate Records;
- (5) 727(a)(4)(A) For Denial Of Discharge For False Oaths In Bankruptcy Documents; And
- (6) 11 U.S.C. Section 727 (A)(5) For Failure To Explain Loss Of Assets (Complaint filed 9/6/19)

FR: 11-27-19

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue the status conference to February 19, 2020, at 9:00 a.m. with an updated status report due on or before February 5, 2020.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Heidi Crawford

Represented By
Richard G Heston

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 4, 2019

Hearing Room 6C

10:00 AM

8:19-12901 Tami L Jones

Chapter 7

#1.00

Hearing RE: Pro se Reaffirmation Agreement Between Debtor And SchoolsFirst Federal Credit Union (aka OCTFCU)
(Motion filed 10/23/19)

[RE: 2015 Hyundai Sonata - Amount: \$15,936.66]

Docket 7

Tentative Ruling:

APPEARANCES REQUIRED.

The reaffirmation agreement is **not** approved, as it is not in the best interest of the Debtor.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Tami L Jones

Represented By
Sharona Zahabian

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 4, 2019

Hearing Room 6C

10:00 AM

8:19-12901 Tami L Jones

Chapter 7

#2.00

Hearing RE: Pro se Reaffirmation Agreement Between Debtor And SchoolsFirst
Federal Credit Union
(Motion filed 10/23/19)

[RE: Overdraft Protection Loan - Amount: \$603.75]

Docket 9

Tentative Ruling:

APPEARANCES REQUIRED.

The reaffirmation agreement is **not** approved, as it is not in the best interest of the Debtor(s).

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Tami L Jones

Represented By
Sharona Zahabian

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 4, 2019

Hearing Room 6C

2:00 PM

8:18-10013 Fred Asafu-Adjaye and Esther Asafu-Adjaye

Chapter 11

#1.00

CONT'D Hearing RE: Confirmation Of First Amended Chapter 11 Plan Of Reorganization
(First Amended D.S. approved 8/14/19)
(Confirmation hearing set at D.S. hearing held 8/14/19)

FR: 6-19-19; 8-14-19; 10-30-19; 11-27-19

Docket 147

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will confirm Debtor's First Amended Chapter 11 Plan of Reorganization.

DEBTOR TO LODGE (1) FINDINGS OF FACT AND CONCLUSIONS OF LAW SUPPORTING PLAN CONFIRMATION, AND (2) CONFIRMATION ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Fred Asafu-Adjaye

Represented By
Lionel E Giron
Crystle Jane Lindsey

Joint Debtor(s):

Esther Asafu-Adjaye

Represented By
Lionel E Giron
Crystle Jane Lindsey

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 4, 2019

Hearing Room 6C

2:00 PM

8:18-10013 Fred Asafu-Adjaye and Esther Asafu-Adjaye

Chapter 11

#2.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 1/3/18)

FR: 3-7-18, 7-11-18; 10-24-18;11-14-18; 12-12-18; 5-8-19; 6-19-19; 8-14-19;
10-30-19; 11-27-19

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into the Debtors' compliance with U.S. Trustee guidelines and requirements.

Next status conference: March 25, 2020 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Fred Asafu-Adjaye

Represented By
Kevin Tang

Joint Debtor(s):

Esther Asafu-Adjaye

Represented By
Kevin Tang

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 4, 2019

Hearing Room 6C

2:00 PM

8:19-10198 Allan Eli Gindi and Carol June Gindi

Chapter 11

#3.00

CONT'D Hearing RE: Approval Of Debtors' Chapter 11 First Amended Disclosure Statement Describing Chapter 11 First Amended Plan Of Reorganization
(D.S. Filed 8/15/19)
(First Amended D.S. filed 10/23/19)

FR: 9-25-19; 11-5-19

Docket 257

***** VACATED *** REASON: CONTINUED TO JANUARY 23, 2020 AT 2:00 P.M. PER ORDER APPROVING REQUEST TO CONTINUE HEARING ENTERED 12-2-19 (DOCKET NO. [292])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Allan Eli Gindi

Represented By
Michael G Spector
Vicki L Schenum

Joint Debtor(s):

Carol June Gindi

Represented By
Michael G Spector
Vicki L Schenum
Candice Candice Bryner

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 4, 2019

Hearing Room 6C

2:00 PM

8:16-11202 QF Liquidation Inc.

Chapter 11

#4.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 case
(Petition filed 3/22/16)

FR: 6-1-16; 8-24-16; 10-12-16; 1-25-17; 2-8-17; 5-31-17; 10-18-17; 1-31-18;
5-2-18; 7-25-18; 11-14-18; 4-17-19; 6-19-19; 11-27-19

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Second Amended Plan of Liquidation was confirmed and went effective on September 20, 2019. The Court will inquire of the United States Trustee as to any remaining issues the United States Trustee sees in this case. The Court will inquire of the Debtor regarding the filing of a motion for entry of a final decree.

Next status conference: TBD.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

QF Liquidation Inc.

Represented By
Marshall J Hogan
Victor A Vilaplana

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 4, 2019

Hearing Room 6C

2:00 PM

8:19-10212 Hill Concrete Structures

Chapter 11

#5.00

CONT'D Hearing RE: Motion By United States Trustee To Dismiss Case Or Convert Case To One Under Chapter 7 Pursuant To 11 U.S.C. Section 1112(b) (Motion filed 9/17/19)

FR: 10-21-19; 11-27-19

Docket 81

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into the U.S. Trustee's current view of this matter now that the U.S. Trustee has had an opportunity to review the Debtor's opposition to the U.S. Trustee's motion to to dismiss or convert the Case.

Party Information

Debtor(s):

Hill Concrete Structures

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 4, 2019

Hearing Room 6C

2:00 PM

8:19-10212 Hill Concrete Structures

Chapter 11

#6.00

Hearing RE: Motion For Order Approving Disclosure Statement Describing Chapter 11 Plan Of Reorganization Dated November 2019
(Motion filed 10/4/19)
(D.S. filed 10/4/19)
(D.S. filed 11/26/19)

FR: 11-27-19

Docket 117

Tentative Ruling:

APPEARANCES REQUIRED.

The Court has the sense that the objections to the disclosure statement filed by creditors Flexible Funding and Dayton Superior have been consensually resolved. However, the Court will need authority for the proposition that the Debtor's need to continue to do business with the "critical vendors" permits such creditors to be more favorably treated under a plan than other non-inside general unsecured creditors before the Court can approve the disclosure statement.

Party Information

Debtor(s):

Hill Concrete Structures

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, December 5, 2019

Hearing Room 225

9:00 AM

6:14-18824 Maria Elena Rodriguez

Chapter 7

Adv#: 6:19-01047 Ford Walker Haggerty & Behar, LLP et al v. Simons

#1.00

PRE-TRIAL CONFERENCE re: Complaint by Ford Walker Haggerty & Behar, LLP, Timothy McDonald against Larry D Simons. priority or extent of lien or other interest in property)),(91 (Declaratory judgment))

Docket 1

***** VACATED *** REASON: CONTINUED to 3/19/2020 at 9:00 a.m. per Order Approving Stipulation - yg**

Tentative Ruling:

Party Information

Debtor(s):

Maria Elena Rodriguez

Represented By
Michael H Colmenares
John P Kreis

Defendant(s):

Larry D Simons

Represented By
Daniel A Lev

Plaintiff(s):

Ford Walker Haggerty & Behar, LLP

Represented By
Howard Steinberg

Timothy McDonald

Represented By
Howard Steinberg

Trustee(s):

Larry D Simons (TR)

Represented By
C John M Melissinos

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, December 5, 2019

Hearing Room 225

9:00 AM

CONT...

Maria Elena Rodriguez

Daniel A Lev

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, December 5, 2019

Hearing Room 225

9:00 AM

6:14-18824 Maria Elena Rodriguez

Chapter 7

Adv#: 6:19-01047 Ford Walker Haggerty & Behar, LLP et al v. Simons

#2.00

Hrg. on Defendant's Motion filed 10/24/19 for Summary Judgment or, in the Alternative, Partial Summary Adjudication

Docket 28

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Maria Elena Rodriguez

Represented By
Michael H Colmenares
John P Kreis

Defendant(s):

Larry D Simons

Represented By
Daniel A Lev

Plaintiff(s):

Ford Walker Haggerty & Behar, LLP

Represented By
Howard Steinberg

Timothy McDonald

Represented By
Howard Steinberg

Trustee(s):

Larry D Simons (TR)

Represented By
C John M Melissinos

Daniel A Lev

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, December 5, 2019

Hearing Room 225

9:00 AM

6:14-18824 Maria Elena Rodriguez

Chapter 7

Adv#: 6:19-01047 Ford Walker Haggerty & Behar, LLP et al v. Simons

#3.00

Hrg. on Plaintiffs' Motion for Summary Judgment, or, In the Alternative, Summary Adjudication of Issues, Against Defendant Larry D. Simons, Chapter 7 Trustee

Docket 34

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Maria Elena Rodriguez

Represented By
Michael H Colmenares
John P Kreis

Defendant(s):

Larry D Simons

Represented By
Daniel A Lev

Plaintiff(s):

Ford Walker Haggerty & Behar, LLP

Represented By
Howard Steinberg

Timothy McDonald

Represented By
Howard Steinberg

Trustee(s):

Larry D Simons (TR)

Represented By
C John M Melissinos

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, December 5, 2019

Hearing Room 225

9:00 AM

CONT...

Maria Elena Rodriguez

Daniel A Lev

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, December 5, 2019

Hearing Room 225

9:00 AM

6:16-20446 BioData Medical Laboratories, Inc.

Chapter 7

Adv#: 6:16-01299 BioData Medical Laboratories, Inc. et al v. Merchant Cash & Capital, LLC.

#4.00

PRE-TRIAL CONFERENCE re: Complaint by BioData Medical Laboratories, Inc. against Merchant Cash & Capital, LLC.. (Charge To Estate). Nature of Suit: (12 (Recovery of money/property - 547 preference)),(13 (Recovery of money/property - 548 fraudulent transfer)),(72 (Injunctive relief - other)),(91 (Declaratory judgment))

(Con't from 10/17/19)

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into the status of the Rule 9019 motion to settle and compromise this case.

The date of the next status conference is to be determined.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

BioData Medical Laboratories, Inc.

Represented By
Robert M Yaspan
Joseph N Darweesh

Defendant(s):

Merchant Cash & Capital, LLC.

Represented By
Jose-Manuel A DeCastro

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, December 5, 2019

Hearing Room 225

9:00 AM

CONT... BioData Medical Laboratories, Inc.

Chapter 7

Plaintiff(s):

BioData Medical Laboratories, Inc.

Represented By
Robert M Yaspan

Todd A Frealy

Represented By
Kurt Ramlo

Trustee(s):

Todd A. Frealy (TR)

Represented By
Eve H Karasik
Jeffrey S Kwong
Juliet Y Oh
Carmela Pagay
Kurt Ramlo

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, December 5, 2019

Hearing Room 225

9:00 AM

6:17-17512 Douglas Craig Woodard

Chapter 7

Adv#: 6:19-01075 Anderson v. Woodard et al

#5.00

STATUS CONFERENCE re: Complaint by Karl T. Anderson against Douglas Craig Woodard, Bliethe Partners, LLC, Douglas C. Woodard, Jr., Janet M. Woodard, Paige Educational Trust, Trey Educational Trust. (Charge To Estate). (\$350.00) Nature of Suit: (13 (Recovery of money/property - 548 fraudulent transfer)),(02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))),(11 (Recovery of money/property - 542 turnover of property)),(91 (Declaratory judgment))

(Cont. from 9/19/19)

Docket 1

*** VACATED *** REASON: Cont. to 1/23/20 @ 2:00 p.m. - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Douglas Craig Woodard Pro Se

Defendant(s):

Douglas Craig Woodard Pro Se

Bliethe Partners, LLC Pro Se

Douglas C. Woodard, Jr. Pro Se

Janet M. Woodard Pro Se

Paige Educational Trust Pro Se

Trey Educational Trust Pro Se

Plaintiff(s):

Karl T. Anderson

Represented By
Melissa Davis Lowe

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, December 5, 2019

Hearing Room 225

9:00 AM

CONT... Douglas Craig Woodard

Chapter 7

Trustee(s):

Karl T Anderson (TR)

Represented By
Leonard M Shulman
Melissa Davis Lowe

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, December 5, 2019

Hearing Room 225

9:00 AM

6:17-17512 Douglas Craig Woodard

Chapter 7

#6.00

Hrg. on chapter 7 trustee's Motion for Order to Show Cause Why Debtor Should Not be Held in Contempt and Sanctioned for Violation of Court Order

(Cont. from 11/5/19)

Docket 130

***** VACATED *** REASON: Cont to 1/23/20 at 9:00 am**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Douglas Craig Woodard

Pro Se

Trustee(s):

Karl T Anderson (TR)

Represented By
Leonard M Shulman
Melissa Davis Lowe

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, December 5, 2019

Hearing Room 225

9:00 AM

6:17-17512 Douglas Craig Woodard

Chapter 7

Adv#: 6:19-01075 Anderson v. Woodard et al

#7.00

Hrg. on Defendant's Motion to Dismiss Adversary Proceeding for: 1) Failure to State a Claim Upon Which Relief Can be Granted; 2) Lack of Standing; and 3) Lack of Subject Matter Jurisdiction

(Cont. from 11/7/19)

Docket 17

***** VACATED *** REASON: Cont. to 1/23/20 @ 2:00 p.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Douglas Craig Woodard

Represented By
Michael G Spector

Defendant(s):

Douglas Craig Woodard

Represented By
Michael G Spector

Blithe Partners, LLC

Represented By
Michael G Spector

Douglas C. Woodard, Jr.

Represented By
Michael G Spector

Janet M. Woodard

Represented By
Michael G Spector

Paige Educational Trust

Represented By
Michael G Spector

Trey Educational Trust

Represented By
Michael G Spector

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, December 5, 2019

Hearing Room 225

9:00 AM

CONT... Douglas Craig Woodard

Chapter 7

Plaintiff(s):

Karl T. Anderson

Represented By
Melissa Davis Lowe

Trustee(s):

Karl T Anderson (TR)

Represented By
Leonard M Shulman
Melissa Davis Lowe

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, December 5, 2019

Hearing Room 225

9:00 AM

6:17-20442 Timothy David Murphy

Chapter 7

Adv#: 6:18-01218 Wells Fargo Bank, N.A. v. Murphy et al

#8.00

Hrg. on Defendant and Cross-Claimant Motion filed 10/22/19 For Summary Judgment

Docket 31

Tentative Ruling:

APPEARANCES REQUIRED.

The Court intends to grant the motion for the reasons argued by the Trustee.

Each party's request for judicial notice is granted.

TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Timothy David Murphy

Represented By
Timothy D Murphy
Patricia A Mireles

Defendant(s):

Timothy David Murphy

Represented By
Timothy D Murphy

Lynda T. Bui

Represented By
Michelle A Marchisotto

Patrick Keith Lafferty

Represented By
Timothy D Murphy

Mary Jane Lafferty

Represented By
Timothy D Murphy

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, December 5, 2019

Hearing Room 225

9:00 AM

CONT... Timothy David Murphy
Lynda T. Bui

Chapter 7

Represented By
Michelle A Marchisotto

Plaintiff(s):

Wells Fargo Bank, N.A.

Represented By
Bernard J Kornberg
Donald H Cram III
Jan T. Chilton

Trustee(s):

Lynda T. Bui (TR)

Represented By
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, December 5, 2019

Hearing Room 225

9:00 AM

6:19-18367 Affordable Auto Repair, Inc.

Chapter 11

#9.00

Hrg. on Chapter 11 Status Conference

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into compliance with United States Trustee guidelines and requirements.

Next status conference: April 9, 2020 at 9:00 a.m.

An updated status report is due March 25, 2020.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Affordable Auto Repair, Inc.

Represented By
Michael Jones

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 301 Calendar**

Monday, December 9, 2019

Hearing Room 301

9:00 AM

6:19-18848 Ryan Rosales and Irene Rosales

Chapter 7

#1.00

Sissac Legal Group P.C. - movant attorney

Motion for Relief from Stay

BMW Bank of North America vs. DEBTORS
(Motion filed 11/8/19)

Re: 2014 BMW 3 Series 320i Sedan 4D

Docket 12

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Ryan Rosales

Represented By
Todd L Turoci

Joint Debtor(s):

Irene Rosales

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 301 Calendar**

Monday, December 9, 2019

Hearing Room 301

9:00 AM

CONT... Ryan Rosales and Irene Rosales

Todd L Turoci

Chapter 7

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 301 Calendar**

Monday, December 9, 2019

Hearing Room 301

9:00 AM

6:19-19215 Joseph S Forth

Chapter 7

#2.00

McCarthy & Holthus, LLP - movant attorney

Motion for Relief from Stay

JPMorgan Chase Bank, National Association vs. DEBTOR
(Motion filed 11/14/19)

Re: REAL PROPERTY RE: 82-286 Travolta Avenue, Indio, CA 92201

Docket 10

Tentative Ruling:

APPEARANCES REQUIRED.

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to foreclose upon and obtain possession of the subject property in accordance with applicable law, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

The movant may contact the debtor to comply with California Civil Code § 2923.5.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Joseph S Forth

Represented By
Christopher Hewitt

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 301 Calendar**

Monday, December 9, 2019

Hearing Room 301

9:00 AM

CONT... Joseph S Forth

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 301 Calendar**

Monday, December 9, 2019

Hearing Room 301

10:00 AM

6:16-18658 Jack A Reesor and Sabrina R Reesor

Chapter 7

#1.00

Hrg. on Chapter 7 Trustee's Motion filed 11/12/19 for Order: (1) Approving the Sale of Real Property of the Estate Free and Clear of Certain Liens Pursuant to Bankruptcy Code §§ 363(b)(1) and 363(f), Subject to Overbids, Combined With Notice of Bidding Procedures and Request for Approval of the Bidding Procedures Utilized; (2) Approving Payment of Real Estate Commission; and (3) Granting Related Relief

Docket 73

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire regarding whether there are any overbidders.

The Court intends to grant the motion, however, overbids will be in \$2,000 increments rather than \$1,000 increments.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Jack A Reesor

Represented By
Joseph M Hoats

Joint Debtor(s):

Sabrina R Reesor

Represented By
Joseph M Hoats

Trustee(s):

Lynda T. Bui (TR)

Represented By
Toan B Chung

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 301 Calendar**

Monday, December 9, 2019

Hearing Room 301

11:00 AM

6:19-18641 Adam C. Fain and Margaret A. Fain

Chapter 7

#1.00

Snell & Wilmer L.L.P. - movant attorney

Motion for Relief from Stay

California Physicians' Service vs. DEBTOR
(Motion filed 11/14/19)

Re: RE: Blue Shield Silver 87 Trio HMO health insurance policy

Docket 24

Tentative Ruling:

APPEARANCES REQUIRED.

An unexpired health insurance policy or contract between a debtor and a health insurance company would appear to be an executory contract because duties continue to exist as of the petition date: the debtor has the duty to pay premiums, and the insurance company has the duty to provide coverage. As such a chapter 7 trustee would have the right to assume or reject such contract within 60 days of the order for relief. 11 U.S.C. § 365(d)(1). A chapter 7 trustee might have an interest in assuming such a policy or contract if the debtor happened to be incurring significant medical costs prior to the petition date. It might well be that a trustee's rights under section 365(d)(1) to assume the policy would trump requirements of the Affordable Care Act regarding termination/premium payments.

These facts are not present here, however. The time for the trustee to assume the policy expired around November 30, 2019. Nor has the trustee sought to assume the policy, either before, on or after November 30. Neither the debtor nor the trustee has filed any opposition to the motion.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 301 Calendar**

Monday, December 9, 2019

Hearing Room 301

11:00 AM

CONT... Adam C. Fain and Margaret A. Fain

Chapter 7

The Court will grant the motion for relief from stay if movant's counsel can represent to the Court that, to the best of his or her knowledge, policy premiums have not been paid by the debtor postpetition.

Party Information

Debtor(s):

Adam C. Fain

Represented By
Lazaro E Fernandez

Joint Debtor(s):

Margaret A. Fain

Represented By
Lazaro E Fernandez

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 301 Calendar**

Monday, December 9, 2019

Hearing Room 301

1:00 PM

6:14-19238 Healthcare Industry Self Insurance Program of Cali

Chapter 7

#1.00

Hrg. on Final Application for Compensation for Foley Bezek Behle & Curtis, LLP and Donahoo & Association, PC as Special Litigation Counsel for Chapter 7 Trustee; Fee: \$2191981.95, Expenses: \$82545.13

Docket 287

Tentative Ruling:

APPEARANCES REQUIRED.

The Court intends to grant the motion and allow on a final basis:

Attorney's fees: \$2,196,981.93.

Costs: \$82,545.13.

Payment of these amounts is approved.

APPLICANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Healthcare Industry Self Insurance

Represented By
Hutchison B Meltzer

Trustee(s):

Howard B Grobstein (TR)

Represented By
Richard K Diamond
Steven J Schwartz
George E Schulman
Jeffrey B Ellis
John N Tedford
Justin P Karczag

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 301 Calendar**

Monday, December 9, 2019

Hearing Room 301

1:00 PM

6:14-19238 Healthcare Industry Self Insurance Program of Cali

Chapter 7

#2.00

Hrg. on Third Interim Application For Award Of Compensation and Reimbursement Of Expenses Of Danning, Gill, Israel & Krasnoff, LLP, As General Counsel To Chapter 7 Trustee; Period: 10/1/2018 to 10/31/2019, Fee: \$70,172.50, Expenses: \$495.67

Docket 288

Tentative Ruling:

APPEARANCES REQUIRED.

The Court intends to grant the motion and allow on an interim basis.

The compensation is approved as to Danning, Gill, Israel, & Krasnoff LLP, with fees in the amount of \$70,172.50 and expenses in the amount of \$495.67.

APPLICANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Healthcare Industry Self Insurance

Represented By
Hutchison B Meltzer

Trustee(s):

Howard B Grobstein (TR)

Represented By
Richard K Diamond
Steven J Schwartz
George E Schulman
Jeffrey B Ellis
John N Tedford
Justin P Karczag

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 301 Calendar**

Monday, December 9, 2019

Hearing Room 301

1:00 PM

6:14-19238 Healthcare Industry Self Insurance Program of Cali

Chapter 7

#3.00

Hrg. on First Interim Application for Reimbursement of expenses for Encore Law Group LLP, Special Counsel, Period: 10/1/2018 to 10/31/2019, Fees: \$0.00, Expenses: \$8,431.69

Docket 294

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court intends to grant the motion and allow on an interim basis.

The compensation is approved as to Encore Law Group, LLP, with expenses in the amount of \$8,431.69.

APPLICANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Healthcare Industry Self Insurance

Represented By
Hutchison B Meltzer

Trustee(s):

Howard B Grobstein (TR)

Represented By
Richard K Diamond
Steven J Schwartz
George E Schulman
Jeffrey B Ellis
John N Tedford
Justin P Karczag

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 301 Calendar**

Monday, December 9, 2019

Hearing Room 301

2:00 PM

6:18-14098 Monica Del Cano

Chapter 7

#1.00

Hrg. on chapter 7 Trustee's Motion filed 10/18/19 For An Order (1) Approving Sale Of The Estate's Interest In Real Property Free and Clear Of Interests Under 11 U.S.C. Section 363(f); (2) Approving The Proposed Overbid Procedure; and (3) Determining That Buyers Are Entitled To Section 363(m) Protection

(Cont. from 11/12/19)

Docket 50

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire whether there are any overbidders.

The Court intends to grant the motion.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Monica Del Cano

Represented By
William Radcliffe

Trustee(s):

Karl T Anderson (TR)

Represented By
Lovee D Sarenas

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 301 Calendar**

Monday, December 9, 2019

Hearing Room 301

2:00 PM

6:18-17757 Steve Profirio Martinez and Sabrina Maria Zipp

Chapter 7

#2.00

Hrg on Trustee's Final Report and Applications for Compensation

Docket 31

Tentative Ruling:

APPEARANCES NOT REQUIRED.

In a case under chapter 7, the court may allow reasonable compensation under § 330 to the trustee for the trustee's services, payable after the trustee renders such services, not to exceed 25% on the first \$5,000 or less, 10% on any amount in excess of \$5,000 but not in excess of \$50,000, 5% on any amount in excess of \$50,000 but not in excess of \$1,000,000, and reasonable compensation not to exceed 3% of such moneys in excess of \$1,000,000, upon all moneys disbursed or turned over in the case by the trustee to parties in interest, excluding the debtor, but including holders of secured claims. 11 U.S.C. § 326(a).

The Court finds that the Trustee's requested compensation meets the requirements of 11 U.S.C. § 326(a) and represents reasonable compensation for actual, necessary services rendered in the administration of this estate.

The compensation is approved as to the Chapter 7 Trustee, with fees in the amount of \$1,303.71 and expenses in the amount of \$107.90.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Steve Profirio Martinez

Represented By
Edgar P Lombera

Joint Debtor(s):

Sabrina Maria Zipp

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 301 Calendar**

Monday, December 9, 2019

Hearing Room 301

2:00 PM

**CONT... Steve Profirio Martinez and Sabrina Maria Zipp
Edgar P Lombera**

Chapter 7

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 301 Calendar**

Monday, December 9, 2019

Hearing Room 301

2:00 PM

6:19-20152 Murray Altman

Chapter 7

#3.00

Hrg. on Motion, of Yun Hei Shin (a.k.a. Angie Shin), Moving for Order Dismissing Altman's Ch. 7 Case, with a 180 Day Bar Against Filing any Additional Bankruptcy Case, for Bad Faith/Cause, as Having Been Filed Only 5 Weeks After Altman's Ch. 11 Case (Ongoing for 3 Years and 5 Months) was Dismissed (on 10/10/19), for Failure to Confirm Any Ch. 11 Plan, and for Infeasibility of Altman's Proposed Ch. 11 Plan

(OST signed 11/26/19)

Docket 16

Tentative Ruling:

APPEARANCES REQUIRED.

The Court believes that relief from stay is appropriate in this case but necessarily dismissal. Mr. Altman may have debts other than obligations to Ms. Shin with respect to which he is properly seeking a discharge. The Court will continue the hearing of this Motion to Dismiss to March 10, 2020, at 2:00 p.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 301 Calendar**

Monday, December 9, 2019

Hearing Room 301

2:00 PM

6:19-20152 Murray Altman

Chapter 7

#4.00

The Bankruptcy Law Firm, PC - movant attorney

Motion for Relief from Stay

Yun HJei shin aka Angie Shin v. DEBTOR
(Motion filed 11/25/19)

Re: Altman's equity interest in Desert Springs Financial, LLC

(OST signed 11/26/19)

Docket 13

Tentative Ruling:

APPEARANCES REQUIRED.

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 301 Calendar**

Monday, December 9, 2019

Hearing Room 301

2:00 PM

CONT... Murray Altman

Chapter 7

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 301 Calendar**

Tuesday, December 10, 2019

Hearing Room 301

9:00 AM

6:16-19764 Wayne Earl Parker and Kristine Marie Parker

Chapter 7

#1.00

Hrg. on U.S. Trustees' Motion filed 10/30/19 to restore to Court's hearing calendar Show Cause Order as to why Timothy L. McCandless should not be held in contempt of court pursuant to 11 U.S.C. §1056 and Federal Rule of Bankruptcy Procedure 9020

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court orders Mr. Timothy L. McCandless to appear and show cause on January 28, 2020, at 2:00 p.m. why he should not be held in contempt of Court for failure to comply with this Court's Order, filed and entered July 5, 2019 [Docket No. 51] (the "Order"), requiring him to make the Reimbursement Payment (as defined in the Order) and file the Compliance Declaration (as defined in the Order) within the time parameters set forth in the Order. Mr. McCandless may be represented by counsel but is required to personally appear at the hearing on January 28, 2020, at 2:00 p.m.

UNITED STATES TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Wayne Earl Parker

Represented By
Timothy L McCandless

Joint Debtor(s):

Kristine Marie Parker

Represented By
Timothy L McCandless

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, December 10, 2019

Hearing Room 225

9:00 AM

6:19-14667 Nixon Tiangco Sy

Chapter 7

#2.00

Aldridge Pite, LLP - movant attorney

Motion for relief from Stay

Select Portfolio Servicing Inc vs DEBTOR
(Motion filed 8/6/19)

RE: 7413 Maggie Lane, Corona, California 92880

(Cont. from 9/10/19)

Docket 14

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into the status of this matter: has an agreement for an adequate protection order been reached, are the parties still negotiating, etc., will Movant be delegating the sale of the Corona property to the trustee?

Party Information

Debtor(s):

Nixon Tiangco Sy

Represented By
Rex Tran

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 301 Calendar**

Tuesday, December 10, 2019

Hearing Room 301

10:00 AM

6:19-17322 Armando Castillo

Chapter 7

#1.00

Hrg. on Approval of Reaffirmation Agreement Between Debtor and Daimler Trust, in the amount of \$28,237.10

Re: 2017 Mercedes Benz

Docket 20

Tentative Ruling:

APPEARANCES REQUIRED.

The reaffirmation agreement is **not** approved, as it is not in the best interest of the Debtor(s).

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Armando Castillo

Pro Se

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 301 Calendar**

Tuesday, December 10, 2019

Hearing Room 301

10:00 AM

6:19-17322 Armando Castillo

Chapter 7

#2.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and Amur Equipment Finance, Inc., in the amount of \$7,925.04

Re: 2008 Stoughton Dry Van

Docket 25

Tentative Ruling:

APPEARANCES REQUIRED.

The reaffirmation agreement is **not** approved, as it is not in the best interest of the Debtor(s).

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Armando Castillo

Pro Se

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 301 Calendar**

Tuesday, December 10, 2019

Hearing Room 301

10:00 AM

6:19-17747 Laura Mae Bell

Chapter 7

#3.00

Hrg. on Approval of Reaffirmation Agreement Between Debtor and Golden 1 Credit Union, in the amount of \$20,910.33

Docket 14

Tentative Ruling:

APPEARANCES REQUIRED.

The reaffirmation agreement is **not** approved, as it is not in the best interest of the Debtor(s).

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Laura Mae Bell

Represented By
Dana Travis

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 301 Calendar**

Tuesday, December 10, 2019

Hearing Room 301

10:00 AM

6:19-17951 Deborah Ann Jenkins

Chapter 7

#4.00

Hrg. on Approval of Reaffirmation Agreement Between Debtor and Check into Cash, in the amount of \$ 2,740.90

Re: 2013 Honda

Docket 19

Tentative Ruling:

APPEARANCES REQUIRED.

The reaffirmation agreement is approved provided that the monthly payments are current, the debtor can afford future payments, and the vehicle is insured.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Deborah Ann Jenkins

Pro Se

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, December 10, 2019

Hearing Room 225

10:00 AM

6:19-18619 Gloria Marie Cisneros

Chapter 7

#5.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and Golden 1 Credit Union, in the amount of \$14,721.87

Re: 2017 Hyundai Tuscon

Docket 8

Tentative Ruling:

APPEARANCES REQUIRED.

The reaffirmation agreement is approved provided that the monthly payments are current, the debtor can afford future payments, and the vehicle is insured.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Gloria Marie Cisneros

Represented By
Norma Duenas

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 301 Calendar**

Tuesday, December 10, 2019

Hearing Room 301

10:00 AM

6:19-19085 Megan Pedroza

Chapter 7

#6.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and TD Auto Finance LLC, in the amount of \$33,103.61

Re: 2018 Hyundai Santa Fe

Docket 15

Tentative Ruling:

APPEARANCES REQUIRED.

The reaffirmation agreement is **not** approved, as it is not in the best interest of the Debtor(s).

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Megan Pedroza

Represented By
Emilia N McAfee

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 301 Calendar**

Wednesday, December 11, 2019

Hearing Room 301

9:00 AM

6:19-18394 Ahsan M Habib

Chapter 7

#5.00

Wright, Finlay & Zak - movant attorney

Motion for Relief from Stay

Kinecta Federal Credit Union vs. DEBTOR
(Motion filed 11/15/19)

Re: 2015 DODGE GRAND CARAVAN // VIN #2C4RDGBG5FR612966

Docket 9

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Ahsan M Habib

Represented By
Daniel King

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 301 Calendar**

Wednesday, December 11, 2019

Hearing Room 301

9:00 AM

6:19-18822 Ada Lenore Terry

Chapter 7

#6.00

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

Motion for Relief from Stay

Santander Consumer USA Inc. vs. DEBTOR, Steven M. Speier, trustee
(Motion filed 11/21/19)

Re: 2018 Nissan Altima, VIN: 1N4AL3AP5JC233452

Docket 9

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Ada Lenore Terry

Pro Se

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 301 Calendar**

Wednesday, December 11, 2019

Hearing Room 301

11:00 AM

6:14-21502 Cindy Lee Randal

Chapter 7

#1.00

Hrg. on trustee's final report and application for compensation

Docket 0

Tentative Ruling:

APPEARANCES NOT REQUIRED.

In a case under chapter 7 or 11, the court may allow reasonable compensation under § 330 to the trustee for the trustee's services, payable after the trustee renders such services, not to exceed 25% on the first \$5,000 or less, 10% on any amount in excess of \$5,000 but not in excess of \$50,000, 5% on any amount in excess of \$50,000 but not in excess of \$1,000,000, and reasonable compensation not to exceed 3% of such moneys in excess of \$1,000,000, upon all moneys disbursed or turned over in the case by the trustee to parties in interest, excluding the debtor, but including holders of secured claims. 11 U.S.C. § 326(a).

The Court finds that the Trustee's requested compensation meets the requirements of 11 U.S.C. § 326(a) and represents reasonable compensation for actual, necessary services rendered in the administration of this estate.

The compensation is approved as to the Trustee, with fees in the amount of \$9,754.08 and expenses in the amount of \$62.10.

The compensation is approved as to Lewis Brisbois Bisgarrd & Smith LLP, with fees in the amount of \$12,067.50 and expenses in the amount of \$130.30.

The compensation is approved as to Aylstock Witkin Kreis & Overholtz PLLC, with fees in the amount of \$83,600.00 and expenses in the amount of \$1,764.68.

The compensation is approved as to Donald T. Fife CPA, with fees in the amount of \$1,000.00.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 301 Calendar**

Wednesday, December 11, 2019

Hearing Room 301

11:00 AM

CONT... Cindy Lee Randal

Chapter 7

Compensation for the Multi-District Litigation Assessment is approved in the amount of \$11,000.00.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Cindy Lee Randal

Represented By
Edward G Topolski

Trustee(s):

Helen R. Frazer (TR)

Pro Se

Todd A. Frealy (TR)

Represented By
Lovee D Sarenas

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Wednesday, December 11, 2019

Hearing Room 225

11:00 AM

6:18-17492 Joseph Bejarano

Chapter 7

#2.00

Hrg. on trustee's final report and application for compensation

Docket 48

Tentative Ruling:

APPEARANCES NOT REQUIRED.

In a case under chapter 7 or 11, the court may allow reasonable compensation under § 330 to the trustee for the trustee's services, payable after the trustee renders such services, not to exceed 25% on the first \$5,000 or less, 10% on any amount in excess of \$5,000 but not in excess of \$50,000, 5% on any amount in excess of \$50,000 but not in excess of \$1,000,000, and reasonable compensation not to exceed 3% of such moneys in excess of \$1,000,000, upon all moneys disbursed or turned over in the case by the trustee to parties in interest, excluding the debtor, but including holders of secured claims. 11 U.S.C. § 326(a).

The Court finds that the Trustee's requested compensation meets the requirements of 11 U.S.C. § 326(a) and represents reasonable compensation for actual, necessary services rendered in the administration of this estate.

The compensation is approved as to the Trustee, with fees in the amount of \$1,250.00 and expenses in the amount of \$124.93.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Joseph Bejarano

Represented By
Matthew Abbasi

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 301 Calendar**

Wednesday, December 11, 2019

Hearing Room 301

11:00 AM

6:19-20329 Natasha Rumsey

Chapter 7

#4.00

Hrg. on Order to Show Cause Re: Dismissal for Failure to Comply with Rule 1006(b)

Docket 1

***** VACATED *** REASON: Case Dismissed 12/5/19 for failure to pay
installment fees - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Natasha Rumsey

Pro Se

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 301 Calendar**

Wednesday, December 11, 2019

Hearing Room 301

1:00 PM

6:09-14254 Fleetwood Enterprises, Inc. and PACO STEEL &

Chapter 11

#1.00

Hrg. on Forty-Third Omnibus Objection filed 11/8/19 Seeking Disallowance of Certain Filed and Scheduled Claims

*Order entered 12/2/19 resolving objection to proof of claim No. 13716

(Tele. appr. Susan Selfin, rep. Sltm Trst LLC)

Docket 4851

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will sustain the Objection and disallow the claim of American Express Travel ("AMEX") in its entirety. The proof of claim filed by AMEX lacks sufficient documents to entitle such claim to *prima facie* validity under FRBP 3001.

LIQUIDATING TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Fleetwood Enterprises, Inc.

Represented By
Craig Millet
Solmaz Kraus
Anne A Uyeda
William C Bollard
James P Menton JR
Richard K Hines

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 301 Calendar**

Wednesday, December 11, 2019

Hearing Room 301

2:00 PM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

#1.00

Hrg. on Debtor's Motion filed 11/20/19 (1) To enforce Debtor's second amended chapter 11 plan of reorganization dated November 1, 2018 (as modified per instructions of court) for an injunction compelling release of band; (2) Granting attorneys' fees; and (3) Granting related relief

**(Tele. appr. Martin Eliopulos, rep. Havasu)
(Tele. appr. David Nealy, rep. Debtor (LISTEN ONLY))**

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

Prior to the date this bankruptcy case commenced, Havasu Lakeshore Investments, LLC ("HLI") obtained a California state court judgment against Terry Lee Fleming, Sr. ("Mr. Fleming"). On October 14, 2015, HLI brought an ancillary action in California Superior Court to collect on its judgment through the sale of Mr. Fleming's interest in real property at 78980 Carmel Circle, La Quinta, California 92253 (the "Carmel Property"). The Superior Court ordered a sale of the Carmel Property, an appeal was taken from the sale order and the Superior Court issued a stay of execution of the sale. However, the Superior Court required Mr. Fleming to post a \$200,000 bond as a condition of the stay of execution. Declaration of James E. Till, Docket No. 402, filed November 20, 2019 at numbered paragraph 5. All parties are agreed that the bond was in fact posted. However, the only evidence provided to the Court as to who actually posted the bond suggests the bond was not posted by Mr. Fleming but instead by a trust for his benefit. Accordingly, the Court cannot now determine whether the owner of the bond is Mr. Fleming or such trust. The Court can easily imagine a situation where a friend or a relative posts a bond for the benefit of a party in a judicial proceeding, and it would seem if the bond is exonerated the

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 301 Calendar**

Wednesday, December 11, 2019

Hearing Room 301

2:00 PM

CONT... Terry Lee Fleming, Sr

Chapter 11

moneys would be paid back to the friend or relative who posted the bond, not the party in the judicial proceeding.

Because the Court cannot determine the identity of the bond's owner, it is clear that movant Mr. Fleming has not made a sufficient showing that the bond in question was ever property of the bankruptcy estate. If the bond is not property of the bankruptcy estate, it would not revert in Mr. Fleming as reorganized debtor and there would be no grounds for this Court to order the bond's release. For these reasons the Court denies the motion without prejudice.

IFIC TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Wednesday, December 11, 2019

Hearing Room 225

2:00 PM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

#1.10

Hrg. on Chapter 11 Status Conference

(Cont. from 12/4/19)

(Tele. appr. Martin Eliopoulos, rep. Havasu)

(Tele. appr. David Nealy, rep. Debtor (LISTEN ONLY))

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into: (1) the Reorganized Debtor's performance of the Confirmed Plan, especially plan payments, and (2) the current status fo the appeal of the Confirmation Order.

Next status conference: May 21, 2020 at 9:00 a.m.

An updated status report is due May 7, 2020.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 11, 2019

Hearing Room 6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

Adv#: 8:17-01204 Official Committee Of Unsecured Creditors v. Press-One Customer Care,

#1.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint For Avoidance
And Recovery Of Preferential Transfers Pursuant To 11 U.S.C. Sections 547
And 550

(Complaint filed 10/26/17)

(Set at S/C held 3/27/19)

FR: 4-4-18; 12-12-18; 3-27-19; 7-10-19; 7-17-19

Docket 1

***** VACATED *** REASON: CONTINUED TO JANUARY 22, 2020 AT
9:00 A.M. PER SUA SPONTE ORDER CONTINUING PRE-TRIAL
CONFERENCE ENTERED 12-5-19 (DOCKET NO. [37])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green
Caroline Djang
Scott D Fink
Reed M Mercado

Defendant(s):

Press-One Customer Care, Inc.

Represented By
Scott A Schiff

Plaintiff(s):

Official Committee Of Unsecured

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 11, 2019

Hearing Room 6C

9:00 AM

CONT... Freedom Communications, Inc.

Andrew W Caine
Jeffrey P Nolan

Chapter 11

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 11, 2019

Hearing Room 6C

9:00 AM

8:16-10849 Casey John Simon

Chapter 7

Adv#: 8:16-01187 Gordy v. Simon et al

#2.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Deny And Object To The Debtors' Discharge Pursuant To 11 U.S.C. Section 727 (Complaint filed 8/12/16)

FR: 11-9-16; 3-8-17; 5-31-17; 12-13-17; 2-28-18; 5-30-18; 9-5-18; 1-9-19; 3-27-19; 5-29-19; 9-18-19

Docket 1

***** VACATED *** REASON: CONTINUED TO JANUARY 22, 2020 AT 9:00 A.M. PER SUA SPONTE ORDER CONTINUING STATUS CONFERENCE ENTERED 12-5-19 - (DOCKET NO. [124])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Casey John Simon

Represented By
Kelly Zinser

Defendant(s):

Casey John Simon

Represented By
Kelly Zinser

Korrine Ellen Simon

Represented By
Kelly Zinser

Joint Debtor(s):

Korrine Ellen Simon

Represented By
Kelly Zinser

Plaintiff(s):

Paul Thomas Gordy

Represented By
Gary Leibowitz

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 11, 2019

Hearing Room 6C

9:00 AM

CONT... Casey John Simon

Chapter 7

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 11, 2019

Hearing Room 6C

9:00 AM

8:18-10018 Derek Lee Collins

Chapter 7

Adv#: 8:18-01117 Kermode v. Collins

#3.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Non-Dischargeability Of Debt Pursuant To 11 U.S.C. Section 523(a)
(Complaint filed 6/25/18)

FR: 9-12-18; 11-19-18; 3-20-19; 6-26-19; 8-14-19

Docket 1

***** VACATED *** REASON: OFF CALENDAR - STIPULATED
JUDGMENT ENTERED 12-5-19 - (DOCKET NO. [27])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Derek Lee Collins	Pro Se
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Defendant(s):

Derek Lee Collins	Pro Se
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Plaintiff(s):

Deborah J. Geary Kermode	Represented By Ryan D ODea
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Trustee(s):

Weneta M Kosmala (TR)	Represented By Erin P Moriarty
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 11, 2019

Hearing Room 6C

9:00 AM

8:19-11987 Enalasy Corporation

Chapter 11

#4.00

CONT'D STATUS CONFERENCE Hearng RE: (1) Status Of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 5/23/19)

FR: 8-7-19

Docket 9

***** VACATED *** REASON: CONTINUED TO JANUARY 22, 2020 AT
9:00 A.M. PER SUA SPONTE ORDER CONTINUING STATUS
CONFERENCE ENTERED 12-5-19 - (DOCKET NO. [64])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Enalasy Corporation

Represented By
Michael Jones

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 11, 2019

Hearing Room 6C

2:00 PM

8:19-13635 David E. Marcos

Chapter 13

#2.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 14

***** VACATED *** REASON: OFF CALENDAR - RENOTICED TO
DECEMBER 16, 2019 AT 2:30 P.M. - (DOCKET NO. [16])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

David E. Marcos

Represented By
James D. Hornbuckle

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 11, 2019

Hearing Room 6C

2:00 PM

8:19-13714 Sonia Maltby and Duane Lee Maltby

Chapter 13

#3.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: OFF CALENDAR - RENOTICED TO
DECEMBER 16, 2019 AT 2:30 P.M. - (DOCKET NO. [8])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sonia Maltby

Pro Se

Joint Debtor(s):

Duane Lee Maltby

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 11, 2019

Hearing Room 6C

2:00 PM

8:19-13768 Justin Robert Jones

Chapter 13

#4.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 2

***** VACATED *** REASON: OFF CALENDAR - RENOTICED TO
DECEMBER 16, 2019 AT 2:30 P.M. - (DOCKET NO. [12])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Justin Robert Jones

Represented By
Andrew Moher

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 11, 2019

Hearing Room 6C

2:00 PM

8:19-13789 Quentin Reutershan

Chapter 13

#5.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: OFF CALENDAR - RENOTICED TO
DECEMBER 16, 2019 AT 2:30 P.M. - (DOCKET NO. [12])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Quentin Reutershan

Represented By
Amanda G Billyard

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 11, 2019

Hearing Room 6C

2:00 PM

8:19-13802 Timothy NMN Barnett

Chapter 13

#6.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 6

***** VACATED *** REASON: OFF CALENDAR - RENOTICED TO
DECEMBER 16, 2019 AT 2:30 P.M. - (DOCKET NO. [9])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Timothy NMN Barnett

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 11, 2019

Hearing Room 6C

2:00 PM

8:19-13878 Jeffrey Michael Giannelli

Chapter 13

#7.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: OFF CALENDAR - RENOTICED TO
DECEMBER 16, 2019 AT 2:30 P.M. - (DOCKET NO. [8])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jeffrey Michael Giannelli

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 11, 2019

Hearing Room 6C

3:00 PM

8:14-16083 Jann Kempton

Chapter 13

#1.00

Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding For Failure To Make Plan Payments [11 U.S.C. 1307(c)] (Motion filed 8/7/19) (Opposition filed 9/26/19)

Docket 159

***** VACATED *** REASON: CONTINUED TO DECEMBER 16, 2019
AT 3:30 P.M. PER ORDER CONTINUING HEARING ON TRUSTEE'S
MOTION ENTERED 10-18-19 - (DOCKET NO. [163])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jann Kempton

Represented By
David R Chase

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Mark Wallace, Presiding
Courtroom 301 Calendar**

Wednesday, December 11, 2019

Hearing Room 301

11:00 AM

6:18-19048 Mark W Scarlatelli

Chapter 7

#3.00

Hrg. on chapter 7 trustee's Application filed 1/21/19 to Employ Stephen R. Wade as Special Counsel Under 11 U.S.C. §327(e)

(Tele. appr. Fredric Greenblatt, rep. Mischelynn Scarlatelli)

Docket 46

Tentative Ruling:

APPEARANCES REQUIRED.

The Court intends to grant the motion for the reasons argued by the Trustee in his application and reply.

APPLICANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Mark W Scarlatelli

Represented By
Stephen R Wade

Trustee(s):

Arturo Cisneros (TR)

Represented By
Chad V Haes
Tinho Mang

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, December 12, 2019

Hearing Room 225

9:00 AM

6:09-14254 Fleetwood Enterprises, Inc.

Chapter 11

#1.00

Hrg on Post-Confirmation Status Conference

(Cont. from 6/18/19)

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Trustee's status report is very helpful and informative. The status conference will go forward primarily to allow the United States Trustee and parties in interest to weigh in and express any concern they may have with regard to the case.

Next status conference: August 20, 2020 at 9:00 a.m.

An updated status report is due August 6, 2020.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Fleetwood Enterprises, Inc.

Represented By
Craig Millet
Solmaz Kraus
Anne A Uyeda
William C Bollard
James P Menton JR
Richard K Hines

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Thursday, December 12, 2019

Hearing Room 225

9:00 AM

6:19-13937 Veer X-press Inc.

Chapter 7

Adv#: 6:19-01127 Anderson v. Singh

#5.00

STATUS CONFERENCE re: Complaint by Karl T. Anderson against Satpal Singh. (Charge To Estate). \$350.00 (Attachments: # 1 Adversary Cover Sheet # 2 Summons) Nature of Suit: (13 (Recovery of money/property - 548 fraudulent transfer)),(14 (Recovery of money/property - other)),(72 (Injunctive relief - other))

Docket 1

*** VACATED *** REASON: Order Dismissing adversary case signed on 11/21/19 - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Veer X-press Inc.

Represented By
Kevin Tang

Defendant(s):

Satpal Singh

Pro Se

Plaintiff(s):

Karl T. Anderson

Represented By
Robert P Goe
Thomas J Eastmond
Robert P Goe

Trustee(s):

Karl T Anderson (TR)

Represented By
Robert P Goe

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar

Thursday, December 12, 2019

Hearing Room 6C

9:00 AM

8:17-10047 Ronald Robert Deak and Aida Rosario Ganddini

Chapter 13

#2.00

CONT'D Motion for relief from stay [Real Property]

Wilmington Trust, National Association, Not In Its Individual Capacity, But Solely As Trustee For MFRA Trust 2016-1 vs. DEBTORS
(Motion filed 9/30/19)

[RE: 22121 Castlewood, Mission Viejo, CA 92692-4201]

FR: 11-4-19

Docket 65

***** VACATED *** REASON: OFF CALENDAR - SETTLED BY
STIPULATION - ORDER GRANTING MOTION ENTERED 11-26-19
(DOCKET NO. [71])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Ronald Robert Deak

Represented By
Thomas E Brownfield

Joint Debtor(s):

Aida Rosario Ganddini

Represented By
Thomas E Brownfield

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Thursday, December 12, 2019

Hearing Room 6C

9:00 AM

8:19-12113 Heidi Crawford

Chapter 7

Adv#: 8:19-01179 DX Home Designs Inc. v. Crawford et al

#3.00

Hearing RE: Plaintiff's Motion For Default Judgment Under LBR 7055-1
(Motion filed 11/12/19)

Docket 24

Tentative Ruling:

APPEARANCES NOT REQUIRED.

DX Home Designs, Inc. ("Plaintiff") commenced an adversary proceeding against chapter 7 debtor Heidi Crawford. The complaint in the adversary proceeding names as defendants Heidi Crawford, Adam Crawford (who the Court will take to be Heidi Crawford's spouse unless evidence is presented to the contrary) and Style House, Inc. The complaint seeks a recovery of \$452,892.94 against these defendants and a determination that this indebtedness is excepted from discharge pursuant to 11 U.S.C. § 523(a)(2), (4) and (6) as well as denial of discharge pursuant to 11 U.S.C. § 727.

Heidi Crawford answered the complaint and apparently intends to defend this action. A motion to strike her answer was granted with leave to amend.

The other two defendants did not answer, and the Clerk of the Court entered their defaults.

Plaintiff now moves for entry of default judgment against these two defaulting defendants.

Because of the interaction of California's community property laws with provisions of the Bankruptcy Code applying a discharge to all community debts even if only one spouse is granted a discharge, it is clear to the Court that granting a default

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Thursday, December 12, 2019

Hearing Room 6C

9:00 AM

CONT... Heidi Crawford

Chapter 7

judgment against Adam Crawford at this time would most likely strip her of any benefits of defending the action against her before the merits or lack of merit of that action can be determined by this Court. Therefore, the Court will stay this adversary proceeding as against Adam Crawford until Plaintiff's action against Heidi Crawford can be heard and determined.

The Court's initial inclination was to permit the motion against Style House, Inc. to go forward and, in all likelihood, to grant such motion. However, the presence in the adversary complaint of alter ego allegations against Adam Crawford and Heidi Crawford persuade the Court that it should stay the action against Style House, Inc. as well because a default judgment against Style House, Inc. seemingly would allow Plaintiff to begin collection activity against Adam and Heidi Crawford notwithstanding that the merit or lack of merit of Plaintiff's action against Heidi Crawford has not yet been determined. Accordingly, the Court stays this adversary proceeding as to Style House, Inc. as well.

The Court sets a special status conference in this adversary proceeding to deal with these issues for October 21, 2010 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Heidi Crawford

Represented By
Richard G Heston

Defendant(s):

Heidi Crawford

Pro Se

Michael Dean Crawford

Pro Se

Style House Inc.

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Thursday, December 12, 2019

Hearing Room 6C

9:00 AM

CONT... Heidi Crawford

Chapter 7

Plaintiff(s):

DX Home Designs Inc.

Represented By
Michael Jay Berger

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Thursday, December 12, 2019

Hearing Room 6C

9:00 AM

8:19-13270 Michelle Williams

Chapter 7

#4.00

Motion for relief from stay [Real Property]

U.S. Bank National Association As Legal Title Trustee For Truman 2016 SC6
Title Trust vs. DEBTOR
(Motion filed 11/13/19)

[RE: 27941 Rural Lane, Laguna Niguel, CA 92677]

Docket 10

Tentative Ruling:

APPEARANCES REQUIRED.

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to foreclose upon and obtain possession of the subject property in accordance with applicable law, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Michelle Williams

Represented By
James P Doan

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Thursday, December 12, 2019

Hearing Room 6C

2:00 PM

6:17-18961 Joseph Edward Putney and Julie Anna Putney

Chapter 7

#1.00

Hrg. on Order to Show Cause

Re: Ming Cong Dang

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

It appears that Mr. Dang is not moving forward with his appeal to the District Court. The Court will inquire of the parties' views with respect to this matter.

The Court will continue the Order to Show Cause hearing to February 11, 2020, at 2:00 p.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Joseph Edward Putney

Represented By
Jenny L Doling
Summer M Shaw

Joint Debtor(s):

Julie Anna Putney

Represented By
Jenny L Doling
Summer M Shaw

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Thursday, December 12, 2019

Hearing Room 6C

2:00 PM

CONT... Joseph Edward Putney and Julie Anna Putney

Chapter 7

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Thursday, December 12, 2019

Hearing Room 6C

2:00 PM

8:19-10198 Allan Eli Gindi and Carol June Gindi

Chapter 11

#2.00

Hearing RE: Motion For Order: (1) Authorizing Sale Of Real Property, Free And Clear Of Liens Pursuant To 11 U.S.C. Section 363(b) And (f); And (2) Approving Overbid Procedure (Motion filed 11/20/19)

Docket 278

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will grant the motion subject to the conditional non-opposition of Lakeview Loan Servicing, LLC.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Allan Eli Gindi

Represented By
Michael G Spector
Vicki L Schennum

Joint Debtor(s):

Carol June Gindi

Represented By
Michael G Spector
Vicki L Schennum
Candice Candice Bryner

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Friday, December 13, 2019

Hearing Room 6C

2:00 PM

8:19-13866 Garen George Ekmekjian

Chapter 13

#1.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: OFF CALENDAR - RENOTICED TO
DECEMBER 16, 2019 AT 2:30 P.M. - (DOCKET NO. [8])**

Party Information

Debtor(s):

Garen George Ekmekjian

Represented By
Aris Artounians

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Friday, December 13, 2019

Hearing Room 6C

2:00 PM

8:19-13910 Jennifer Elaine Rodriguez

Chapter 13

#2.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 2

***** VACATED *** REASON: OFF CALENDAR - RENOTICED TO
DECEMBER 16, 2019 AT 2:30 P.M. - (DOCKET NO. [11])**

Party Information

Debtor(s):

Jennifer Elaine Rodriguez

Represented By
Gregory M Shanfeld

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 16, 2019

Hearing Room 6C

9:00 AM

8:19-12375 South Coast Behavioral Health, Inc.

Chapter 11

#1.00

Motion for Relief from Stay [Action In Non-Bankruptcy Forum]

Tiffany Ulrich vs. DEBTOR
(Motion filed 11/20/19)

**[RE: Case Name: Tiffany Ulrich v. South Coast Behavioral Health]
[Docket No.: 30-2019-01096979-CU-PO-CJC]
[Pending In: Orange County Superior Court - Central Justice Center]**

Docket 350

Tentative Ruling:

APPEARANCES REQUIRED.

The motion is denied without prejudice for the reasons argued by the Debtor. No renewed motion may be filed prior to June 30, 2020.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

South Coast Behavioral Health, Inc.

Represented By
Michael N Nicastro
Sean A OKeefe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 16, 2019

Hearing Room 6C

9:00 AM

8:19-14394 Austin Benjamin Liang

Chapter 7

#2.00

Motion for relief from stay [Personal Property]

Mercedes-Benz Financial Services USA LLC vs. DEBTOR; And Richard A. Marshack, Trustee
(Motion filed 11/22/19)

[RE: 2016 Mercedes-Benz E350W - VIN WDDHF5KB0GB247553]

Docket 13

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling.

Party Information

Debtor(s):

Austin Benjamin Liang

Represented By
Andy C Warshaw

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 16, 2019

Hearing Room 6C

9:00 AM

8:19-14489 Luis Daniel Ochoa

Chapter 11

#3.00

Hearing RE: Motion In Individual Case For Order Imposing A Stay Or
Continuing The Stay As The Court Deems Appropriate
(Motion filed 11/20/19)
(OST Entered 11/21/19)

[RE: 10 Sellas Road North, Ladera Ranch, CA 92694]

Docket 12

Tentative Ruling:

APPEARANCES REQUIRED.

The Court intends to grant the motion and continue the automatic stay as to all
creditors.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Luis Daniel Ochoa

Represented By
Anerio V Altman

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 16, 2019

Hearing Room 6C

2:00 PM

8:16-13380 Eric Martinson

Chapter 11

#1.00

Hearing Re: Motion By The United States Trustee To Convert Case To Chapter 7 Or Dismiss Pursuant to 11 U.S.C. Section 1112(b)
(Motion filed 11/18/19)

Docket 282

Tentative Ruling:

APPEARANCES REQUIRED.

The Court intends to grant the motion and dismiss or convert the case to chapter 7.

UNITED STATES TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Eric Martinson

Represented By
Richard L Barrett

Movant(s):

United States Trustee (SA)

Represented By
Frank Cadigan

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 16, 2019

Hearing Room 6C

2:00 PM

8:16-13380 Eric Martinson

Chapter 11

#1.10

CONT'D STATUS CONFERENCE Hearing RE: (1) Status of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 8/9/16)

FR: 10-12-16; 11-9-16; 2-15-17; 5-3-17; 9-27-17, 12-13-17; 2-28-18; 6-6-18;
10-17-18; 1-30-19; 6-26-19; 8-21-19; 12-4-19

Docket 8

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into the Debtor's compliance with United States Trustee guidelines and requirements.

Next status conference: TBD.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Eric Martinson

Represented By
Richard Lynn Barrett

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 16, 2019

Hearing Room 6C

2:00 PM

8:19-13635 David E. Marcos

Chapter 13

#2.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: renoticed from 12/11/19

Docket 14

***** VACATED *** REASON: RENOTICE TO DECEMBER 16, 2019 AT
2:30 P.M. - (DOCKET NO. [16])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

David E. Marcos

Represented By
James D. Hornbuckle

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 16, 2019

Hearing Room 6C

2:00 PM

8:15-15311 Freedom Communications, Inc.

Chapter 11

#3.00

Hearing RE: Official Committee Of Unsecured Creditors' Motion For Order Approving Settlement Between The Committee, The Pension Benefit Guaranty Corporation, And The Debtors
(Motion filed 11/25/19)

Docket 1596

Tentative Ruling:

APPEARANCES REQUIRED.

The Court intends to grant the motion. In re PRTC, Inc. 177 F.3d 774 (9th Cir. 1999) requires the bankruptcy to look at various options and evaluate them based upon the effect on creditors. The settlement agreement is best for creditors because it has the effect of subordinating PBGC to other general unsecured credits to the extent of \$1 million. Under other options (such as retaining the litigation in this Court), the PBGC's enormous claim would largely dilute a recovery by such creditors even if the litigation is successful. If unsuccessful, unsecured creditors would likely receive no dividend from the estate.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green
Caroline Djang
Scott D Fink
Reed M Mercado

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 16, 2019

Hearing Room 6C

2:30 PM

8:19-13229 Ligia M Hallstrom

Chapter 13

#1.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: 11-6-19

Docket 30

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Ligia M Hallstrom

Represented By
Randolph R Ramirez

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 16, 2019

Hearing Room 6C

2:30 PM

8:19-13635 David E. Marcos

Chapter 13

#2.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: renoticed from 12/11/19];
renoticed from 12/16/19 at 2:00

Docket 14

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

David E. Marcos

Represented By
James D. Hornbuckle

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 16, 2019

Hearing Room 6C

2:30 PM

8:19-13714 Sonia Maltby and Duane Lee Maltby

Chapter 13

#3.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: renoticed from 12/11/19

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sonia Maltby	Pro Se
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Joint Debtor(s):

Duane Lee Maltby	Pro Se
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Trustee(s):

Amrane (SA) Cohen (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 16, 2019

Hearing Room 6C

2:30 PM

8:19-13768 Justin Robert Jones

Chapter 13

#4.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: renoticed from 12/11/19

Docket 2

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Justin Robert Jones

Represented By
Andrew Moher

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 16, 2019

Hearing Room 6C

2:30 PM

8:19-13965 Luis E Sanchez

Chapter 13

#5.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 20

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Luis E Sanchez

Represented By
David R Chase

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 16, 2019

Hearing Room 6C

2:30 PM

8:19-13802 Timothy NMN Barnett

Chapter 13

#6.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: renoticed from 12/11/19

Docket 6

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Timothy NMN Barnett

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 16, 2019

Hearing Room 6C

2:30 PM

8:19-13866 Garen George Ekmekjian

Chapter 13

#7.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: renoticed from 12/13/19

Docket 13

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Garen George Ekmekjian

Represented By
Aris Artounians

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 16, 2019

Hearing Room 6C

2:30 PM

8:19-14059 Justin Todd Brunell and Cara Brunell

Chapter 13

#8.00

Hearing RE: Confirmation Of Chapter 13 Plan

Docket 14

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Justin Todd Brunell

Represented By
Gary Polston

Joint Debtor(s):

Cara Brunell

Represented By
Gary Polston

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 16, 2019

Hearing Room 6C

2:30 PM

8:19-13910 Jennifer Elaine Rodriguez

Chapter 13

#9.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: renoticed from 12/13/19

Docket 2

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jennifer Elaine Rodriguez

Represented By
Gregory M Shanfeld

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 16, 2019

Hearing Room 6C

2:30 PM

8:19-13789 Quentin Reutershan

Chapter 13

#10.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: renoticed from 12/11/19

Docket 0

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL FOR FAILURE TO FILE SCHEDULES, STATEMENTS,
AND/OR PLAN ENTERED 10-21-19 - (DOCKET NO. [12])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Quentin Reutershan

Represented By
Amanda G Billyard

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 16, 2019

Hearing Room 6C

2:30 PM

8:19-13878 Jeffrey Michael Giannelli

Chapter 13

#11.00

CONT'D Hearing RE: Confirmation Of Chapter 13 Plan

FR: renoticed from 12/11/19

Docket 0

***** VACATED *** REASON: OFF CALENDAR - ORDER AND NOTICE
OF DISMISSAL FOR FAILURE TO FILE SCHEDULES, STATEMENTS,
AND/OR PLAN ENTERED 10-21-19 - (DOCKET NO. [14])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jeffrey Michael Giannelli	Pro Se
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Trustee(s):

Amrane (SA) Cohen (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 16, 2019

Hearing Room 6C

3:30 PM

8:19-14236 Luong Ngoc Dang

Chapter 13

#1.00

Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding With A 1-Year Bar Against Refiling Pursuant To 11 USC Section 109(g)
[11 USC Section 1307(c)(6)]
(Motion filed 11/14/19)

Docket 7

Tentative Ruling:

APPEARANCES REQUIRED.

Grant the motion and dismiss the case with a two year ban ban to re-filing.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Luong Ngoc Dang	Pro Se
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Trustee(s):

Amrane (SA) Cohen (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 16, 2019

Hearing Room 6C

3:30 PM

8:14-16083 Jann Kempton

Chapter 13

#2.00

CONT'D Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding For Failure To Make Plan Payments [11 U.S.C. 1307(c)] (Motion filed 8/7/19) (Opposition filed 9/26/19)

FR: 12-11-19

Docket 159

Tentative Ruling:

APPEARANCES REQUIRED.

Grant the motion and dismiss the case.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Jann Kempton

Represented By
David R Chase

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 16, 2019

Hearing Room 6C

3:30 PM

8:15-11468 Elaine Estrada

Chapter 13

#3.00

Hearing RE: Motion For Reconsideration Of Order Granting Relief Of Automatic Stay; Motion For Reinstatement Of Automatic Stay
Federal Rules of Bankruptcy Procedure Sections 9023; 9024;
Federal Rules of Civil Procedure Sections 59; 60 et seq.

Docket 47

Tentative Ruling:

APPEARANCES REQUIRED.

The motion is denied. No new evidence has been presented to the Court.

US BANK TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Elaine Estrada

Represented By
Cynthia L Spalding

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 16, 2019

Hearing Room 6C

3:30 PM

8:16-13819 Joan Ellen Yates

Chapter 13

#4.00

Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding For Failure To Make Plan Payments [11 U.S.C. 1307(c)]
(Motion filed 10/8/19)
(Opposition filed 10/17/19)
(Set per Notice of Hearing filed 10/17/19)

Docket 76

Tentative Ruling:

APPEARANCES REQUIRED.

Grant the motion and dismiss the case.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Joan Ellen Yates

Represented By
Allan S Williams

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 16, 2019

Hearing Room 6C

3:30 PM

8:18-14189 Robert Matthew Coburn and Sharon Ann Young

Chapter 13

#5.00

CONT'D Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding For Failure To Make Plan Payments [11 U.S.C. 1307(c)]
(Motion filed 9/4/19)
(Opposition filed 9/30/19)

FR: 11-6-19

Docket 37

Tentative Ruling:

APPEARANCES REQUIRED.

Grant the motion and dismiss the case.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Robert Matthew Coburn

Represented By
Heather J Canning
Michael E Clark

Joint Debtor(s):

Sharon Ann Young

Represented By
Heather J Canning
Michael E Clark

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 16, 2019

Hearing Room 6C

3:30 PM

8:18-14189 Robert Matthew Coburn and Sharon Ann Young

Chapter 13

#6.00

Hearing RE: Motion Under Local Bankruptcy Rule 3015-1 (n) And (w) To Modify Plan Or Suspend Plan Payments
(Motion filed 11/6/19)
(Set per Notice of Hearing filed 11/7/19)

Docket 41

Tentative Ruling:

APPEARANCES REQUIRED.

The Court intends to deny the motion.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Robert Matthew Coburn

Represented By
Heather J Canning
Michael E Clark

Joint Debtor(s):

Sharon Ann Young

Represented By
Heather J Canning
Michael E Clark

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 16, 2019

Hearing Room 6C

3:30 PM

8:18-14535 Kirolous A. Awad and Maria Awad

Chapter 13

#7.00

Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13
Proceeding For Failure To Make Plan Payments
[11 U.S.C. 1307(c)]
(Motion filed 10/8/19) (Opposition filed 10/30/19)

Docket 51

Tentative Ruling:

APPEARANCES REQUIRED.

Grant the motion and dismiss the case.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Kirolous A. Awad

Represented By
Tina H Trinh

Joint Debtor(s):

Maria Awad

Represented By
Tina H Trinh

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 16, 2019

Hearing Room 6C

3:30 PM

8:19-11271 Nathan Christopher Harris

Chapter 13

#8.00

Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding For Failure To Make Plan Payments [11 U.S.C. 1307(c)]
(Motion filed 10/8/19)
(Opposition filed 10/30/19)
(Set per Notice of Motion filed 10/17/19)

Docket 26

Tentative Ruling:

APPEARANCES REQUIRED.

Grant the motion and dismiss the case.

CHAPTER 13 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Nathan Christopher Harris

Represented By
D Justin Harelik

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, December 16, 2019

Hearing Room 6C

3:30 PM

8:14-15805 Mario Montes and Leticia Montes

Chapter 13

#9.00

Hearing RE: Trustee's Verified Motion For Order Dismissing Chapter 13 Proceeding For Failure To Complete The Plan Within Its Terms [11 U.S.C. 1307(c)]
(Motion filed 10/15/19)
(Response filed 10/29/19)
(Notice of Motion filed 10/29/19)

Docket 126

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF WITHDRAWAL OF TRUSTEE'S MOTION FILED 11-7-19 - (DOCKET NO. [130])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Mario Montes

Represented By
Amanda G Billyard
Andy C Warshaw

Joint Debtor(s):

Leticia Montes

Represented By
Amanda G Billyard
Andy C Warshaw

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 18, 2019

Hearing Room 6C

9:00 AM

8:18-10905 Michael William Devine
Adv#: 8:18-01121 Getson et al v. Devine

Chapter 7

#1.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Determine The Dischargeability Of Debt Pursuant To 11 U.S.C. Section 523(a)(2)(a) Complaint filed 6/29/18)
(PTC set at S/C held 3/13/19)
(S/C set per Order Entered 6-7-19)

FR: 9-19-18; 3-13-19; 6-19-19

Docket 1

***** VACATED *** REASON: CONTINUED TO AUGUST 12, 2020 AT 9:00 A.M. PER ORDER APPROVING STIPULATION CONTINUING STATUS CONFERENCE ENTERED 12-17-19 - (DOCKET NO. [20])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael William Devine

Represented By
Christopher J Langley

Defendant(s):

Michael William Devine

Pro Se

Plaintiff(s):

Lisa Getson

Represented By
Mitchell B Hannah

Todd Lansinger

Represented By
Mitchell B Hannah

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 18, 2019

Hearing Room 6C

9:00 AM

8:18-11759 Chester Davenport

Chapter 7

Adv#: 8:18-01193 Basho Technologies Holdco C, LLC et al v. Chester

#2.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint To Determine Dischargeability Of Debt Under 11 U.S.C. Section 523(a)(4) And Objection To Discharge Under 11 U.S.C. Sections 727(a)(2) And (a)(3)
(Complaint filed 10/26/18)
(PTC set at S/C held 4/24/19)

FR: 1-16-19; 1-23-19; 3-27-19; 4-24-19

Docket 1

***** VACATED *** REASON: CONTINUED TO JULY 15, 2020 AT 9:00
A.M. PER ORDER APPROVING STIPULATION TO AMEND
SCHEDULING ORDER ENTERED 9-25-19 - (DOCKET NO. [47])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Chester Davenport Pro Se

Defendant(s):

Davenport C. Chester Pro Se

Plaintiff(s):

Basho Technologies Holdco B, LLC Represented By
Randy B Soref
Bradley Gardner
Michael Jay Berger
Tanya Behnam

Earl P. Galleher III Represented By
Bradley Gardner
Randy B Soref
Michael Jay Berger

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, December 18, 2019

Hearing Room 6C

9:00 AM

CONT... Chester Davenport

Chapter 7

	Tanya Behnam
Hunoby Enterprises, LLC	Represented By Bradley Gardner Randye B Soref Michael Jay Berger Tanya Behnam
Basho Technologies Holdco E, LLC	Represented By Bradley Gardner Randye B Soref Michael Jay Berger Tanya Behnam
Basho Technologies Holdco C, LLC	Represented By Bradley Gardner Randye B Soref Michael Jay Berger Tanya Behnam

Trustee(s):

Karen S Naylor (TR)	Represented By Kathleen J McCarthy Thomas H Casey
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